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APR 20 1979

The Regular Meeting of City Council will be held on Monday, April 9, 1979, in the Council Chamber, City Hall, at 8:00 p.m.

A meeting of the Board of Directors of Eldon Hall Place Housing will follow the Council meeting.

ROLL CALL

TABLING OF DOCUMENTS

MINUTES

That the Minutes of City Council Meeting No. 14, held on March 26, 1979, be amended on page 323, Finance & Accounts Report No. 37, Clause 13, Subsection 5, to delete the figures "\$2.00" and substitute therefore the figures \$20.00".

- and -

That the Minutes of City Council Meeting No. 14, held on March 26, 1979, as amended, be approved.

COMMUNICATIONS

To be Filed

- (228) From the Ontario Good Roads Association enclosing two copies of their "Directory of Company Members". All companies listed in the Directory are in business to provide the services, machinery, equipment or materials required in the construction or maintenance of municipal roads and bridges.

(Note: Copy forwarded to the Director of Public Works.)

- (229) From the Ministry of Community and Social Services, copy of their publication entitled "Children's Services" for the month of March, 1979.

- (230) From the Ministry of Intergovernment Affairs, copy of their publication entitled "Background" No. 79/11, dated 16th March, 1979, together with Bulletin No. 18 entitled "Liability Protection".

(Note: Copies have been distributed to all members of Council).

- (231) From the Hon. Frank Drea, Minister of Consumer and Commercial Relations, acknowledging receipt of Council's resolution (Motion 1, City Council Meeting No. 5, Page 166) requesting the Province to provide a more equitable method of taxation for condominiums.

- (232) From the Hon. Frank S. Miller, Treasurer of Ontario, notifying that the Minister of Housing, the Hon. Claude Bennett, had forwarded Council's resolution (Motion 1, City Council Meeting No. 5, Page 166) regarding condominiums to him and stating:

"I cannot agree with the request that condominiums be given special property tax treatment for a number of reasons. First, property taxes are not a payment for services, but are the taxes paid to support the local level of government. For example, owners of vacant land receive practically no service from local governments but still pay taxes on the same basis as other property owners. Second, an amendment was made to The Assessment Act in 1975 so that condominiums could have a comparable level of taxation to single family dwellings. This brought considerable tax relief to condominium owners, and put them at an advantage relative to owners of rental apartments who pay higher taxes than condominiums and frequently receive the same limited municipal services.

COMMUNICATIONS (cont'd)

To be Filed (Cont'd)

(232) (Cont'd)

Third, in many municipalities the costs and revenues associated with condominium and other developments are weighed as part of the decision as to whether a development is allowed to proceed. Developments are often approved only because the cost of certain services are being provided by the developer, or through him by the purchasers of the new properties. Where a development is not expected to yield sufficient tax revenues to offset costs, municipalities frequently impose a lot levy to make up the difference. If condominiums were now to be taxed at a lower rate, then many municipalities might impose higher lot levies so there would be no net gain to condominium owners.

I do not know if this is the case in Kingston, but to the extent that financial considerations are an issue in development approval in the City, then any tax concession given now would have the effect of changing the agreements freely entered into between the developers of condominiums and the City. The changes would, in effect, shift tax burdens from existing condominium owners to other ratepayers.

Finally, I note that many municipalities which do not provide services to certain types of property sometimes rebate amounts to owners of such property in recognition of the limited service. For example, the City of Kitchener rebates rental apartment owners for reduced garbage disposal service. The City of Kingston may wish to consider a similar type of program for row house condominiums.

I hope this clarifies the position of the Province with regard to the property tax treatment of condominiums."

- (233) From the Frontenac-Lennox and Addington County Roman Catholic Separate School Board requesting City Council to provide it with the sum of \$686,994.00 by tax levy upon the Separate School Supporters of the City of Kingston.

(See By-Laws 10 & 11: Proposed Nos. 79-73 and 79-74)

To be Referred to the City of Kingston Planning Board

- (234) Notice of Application to the Ontario Municipal Board by The Corporation of the Township of Pittsburgh for approval of a By-Law to regulate land use passed pursuant to Section 35 of the Planning Act. The effect of this By-Law is to permit the development of Residential and Open Space uses in accordance with a plan of subdivision East of the Great Cataraqui River. The last date for filing objections will be April 23, 1979.

To be Filed

- (235) From the Kingston District Chamber of Commerce notifying of the following motion passed unanimously at a recent meeting of the Board of Directors:

"That the Chamber of Commerce whole-heartedly support the concept of the Semi-Mall proposed for the downtown core and that letters be sent to the D.B.A., the Core Committee and the City of Kingston indicating this support."

COMMUNICATIONS (Cont'd)

To be Filed (Cont'd)

- (236) From the Kingston and District Association for the Mentally Retarded, thanking the City of Kingston for its generous donation of \$500. towards the cost of the President's Reception on the occasion of the opening session of the Annual Conference of the Ontario Association for the Mentally Retarded.
- (237) From the Performing Arts Office, Queen's University thanking the City of Kingston for its grant in the amount of \$2,500. for the season 1979-1980.

To be Referred to the Finance & Accounts Committee

- (238) From the Minister of Housing, The Hon. Claude F. Bennett, acknowledging receipt of the City's letter regarding the Rent Supplement Program in Kingston expressing Council's concern with respect to some aspects of the Program.
- (Note: A meeting has been arranged for April 18 with the Director of the Central/East Region, Community Housing Branch of the Ministry of Housing and Members of the Finance Committee).*
- (239) From the Association of Women Electors of Kingston Area requesting Council's reconsideration of By-Law No. 79-24 authorizing an application to the County Judge to close a portion of King Street East, lying north of Place d'Armes.

(Note: Copy of letter distributed to each member of Council.)

PETITIONS

REPORTS

To the Mayor and Alderman:

March 28th, 1979

The Transportation Committee reports and recommends as follows:

1. That the name 'Green Drive' be changed to 'Apps Avenue'.

NOTE: The name change was requested by the Postmaster and Dacon Corporation, to alleviate confusion which has resulted from a duplication of names in areas served by the Kingston Post Office. Ernestown Township also has a Green Drive.

(See By-Law 1: No. 79-64)

2. That a by-law be presented to Council to amend By-law 4489 (Parking Lots) to provide that the monthly parking rate on the McKee Municipal parking lot be increased from \$15 to \$20, retroactive to April 1st, 1979.

NOTE: The McKee lot was omitted from the monthly parking rate increases for municipal parking lots dealt with by Council in Report No. 31.

(See By-Law 6: No. 79-69)

3. That application be made to the Ministry of Transportation and Communications for subsidy in connection with the following 1979 Airport projects:

	<u>Gross Cost</u>	<u>Anticipated Subsidy</u>
<u>Airport Master Plan</u> as per quotation from DeLCan-Wallace, Airport Planning and Engineering Consultants	\$ 21,600.	Unknown
<u>Runway 06R-24L Improvements</u> Asphalt and Runway Lighting	<u>130,600.</u>	Unknown
	<u>\$152,200.</u>	

NOTE: City Council has approved \$120,800. as the City's share for these projects which are included in the 1979 Airport Capital and/or Current Operating Budgets.

Respectfully Submitted,

CHAIRMAN

REPORT NO. 39

March 29, 1979

To the Mayor and Aldermen:

The Community Services Committee reports and recommends as follows:

1. That the daily rate charged to full pay Residential Care residents at Rideaucrest Home for the Aged be increased from \$19.00 to \$22.50, effective April 1, 1979.

(Note: Budget figures for 1979 indicate that the daily cost to the Home for Residential Care is now \$22.46).

2. That a By-Law be presented to Council to prohibit "topless", etc., serving persons in the City of Kingston, as more particularly described in Schedule 'A' attached hereto.

(See By-Law 2: No. 79-65)

3. That the City of Kingston approves 'FOLKLORE 79' as a Community Festival to be held June 8, 9 and 10, 1979 at the following locations :

Ukrainian - Ukrainian Hall, 472 Bagot Street
Dutch - St. Patrick's School, 158 Patrick St.
Canadian - Calvin Park School, Van Order Dr.
Danish - Steelworkers Hall, Concession St.
Scottish - Oddfellows Hall, 394 Princess St.
Austrian - Austrian Hall, Gardiner's Road
Portuguese - Loyalist Collegiate
West Indian - Cook's Youth Centre
Hungarian - Rideau Public School
Chinese - Winston Churchill School
French - Cathedral School, 301 Johnson St.
Greek - Greek Community Hall, 119 Johnson St.
Italian - Italo-Canadian Club, Montreal Street

subject to the approval of the School Boards with regard to the school facilities.

Respectfully submitted,

CHAIRMAN

BY-LAW NO. 79-65

A BY-LAW TO REGULATE AND CONTROL EATING OR DRINKING ESTABLISHMENTS IN THE CITY OF KINGSTON.

PASSED:

The Council of The Corporation of the City of Kingston hereby enacts as follows:

1. In this by-law, the following shall serve as definitions:

(a) "Eating or drinking establishments" means

- (i) every place for the lodging, reception refreshment or entertainment of the public;
- (ii) every place where food stuffs, intended for human consumption are made for sale, offered for sale, stored or sold;
- (iii) every victualling house, ordinary, and house where fruit, fish, oysters, clams, or victuals are sold to be eaten therein; and
- (iv) any other place or premises or part thereof, named or described in section 2 of this by-law, where food or drink is served in pursuance of a trade, calling, business or occupation,

whether or not any person is licensed or required to be licensed under any by-law for the carrying on of or engaging in any trade, calling, business or occupation in respect of such eating or drinking establishment.

(b) "Food or drink" includes any kind of victuals, refreshments, alcoholic and non-alcoholic beverages, and any other commodity intended for human consumption;

(c) "To operate" includes to manage, supervise and otherwise be responsible for the control, management or supervision of an eating or drinking establishment or of any serving person employed or performing services therein, whether or not the person so operating such establishment is licensed or required to be licensed under this by-law.

(d) "Serving person" includes a waiter, waitress, host, hostess, bartender, cook and every other person serving or making available food or drink in pursuance of a trade, calling, business or occupation in an eating or drinking establishment, and every person involved in providing such services, whether or not any such person is licensed or required to be licensed under this by-law.

(e) "Specified body areas" means:

- (i) in the case of a female person, her breasts;
and
- (ii) in the case of all persons, the pubic,
perineal and perianal areas and the buttocks.

2. No serving person shall in any eating or drinking establishment in the City of Kingston serve or make available food or drink in pursuance of a trade, calling, business or occupation or be involved in providing such services, except while wearing clean, opaque clothing, fully covering such person's specified body areas.

3. No person who operates an eating or drinking establishment shall permit any serving person in such establishment to serve or make available food or drink in pursuance of a trade, calling, business or occupation, or to be involved in providing such services, unless such serving person is clothed in accordance with the provisions of subsection 2.

4. Any person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty to a maximum of \$1,000.00, and the fine is recoverable under The Summary Convictions Act.

5. This by-law shall come into full force and effect on the day of its passing.

GIVEN FIRST AND SECOND READINGS the

GIVEN THIRD READING AND FINALLY PASSED the

MARCH 29, 1979.

To the Mayor and Aldermen:

The Parks & Recreation Committee reports and recommends as follows:

1. That the lease agreement between the City of Kingston and Lake Ontario Amusements be amended to include Rules & Regulations Regarding Operation of Amusement Riding Devices, which is shown on attached Appendix "A".
2. That the lease agreement between the City of Kingston and Lake Ontario Amusements be amended to include the establishment of a Games Arcade on a one-year trial basis, in a location within the concessionaire's area satisfactory to the Commissioner of Parks & Recreation, and the City of Kingston to receive 15% of the total gross sales.
3. That agreements be entered into with the following groups to rent space at the J. K. Tett Creativity Centre, 370 King St. West, in accordance with the rental policy approved by City Council:

<u>Group</u>	<u>Term of Lease</u>	<u>Area</u>	<u>Yearly Rent</u>
The Canadian Corps. of Commissionaires	5 yrs.	5168 sq.ft.	\$5,168.00
Rape Crises Centre	5 yrs.	174 sq.ft.	\$ 174.00
West Indian Assoc.	5 yrs.	266 sq.ft.	\$ 266.00

E:) This item was referred back to the Parks & Recreation Committee by Council for clarification as to whether the organizations noted above are non-profit. The City Solicitor has provided a document indicating that the organizations are non-profit.

4. That notwithstanding the provisions of By-Law No. 21 - A By-law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Kingston Arts Council be permitted to use the Loyalist Room at no charge on the second Tuesday of each month, January - December, 1979, at 7:30 P.M., for their monthly meetings, it being understood they will relinquish the use of the room if it is required by the City.

(See By-Law 7: No. 79-70)

5. That notwithstanding the provisions of By-Law No. 21 - A By-law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Advisory Committee to City Council on the Needs of the Handicapped & Elderly be permitted to use the Loyalist Room at no charge every second Monday for their twice-monthly meetings, it being understood they will relinquish the use of the room if it is required by the City.

(See By-Law 7: No. 79-70)

6. That notwithstanding the provisions of By-Law No. 21 - A By-law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Federal Election Nomination Day group be permitted to use Memorial Hall at no charge on April 30th, 1979, at 1:30 P.M., it being understood they will relinquish the use of the room if it is required by the City.

(See By-Law 7: No. 79-70)

Respectfully submitted,

CHAIRMAN

March 23, 1979

Rules And Regulations RegardingOperation of Amusement Riding Devices - Lake Ontario Park

The owner or his agents shall submit to the Corporation of the City of Kingston, prior to operation of Amusement Riding Devices in Lake Ontario Park, annually as follows:

1. Inspection Report from the Canadian Outdoor Amusement Association or designate of that organization,
 - (a) listing and identifying rides inspected and approval for rides as to compliance with manufacturer specifications
 - (b) installation and location
 - (c) proposed operating and maintainance schedule, submitted by the owner.

Where additional rides are used in the Park on promotional events, C.O.A.A. approvals are required as well as evidence of extended liability insurance.

2. Inspection Report from the Ontario Hydro showing installation to be acceptable.
3. Comply with Canadian Standards Association - Midway Safety Code and supply the City with a certificate of intension to operate within the specified scope of the aforementioned schedules.
4. Identify the ride supervisor or alternate to be on duty in the Park when rides are in operation.
5. Provide an operating procedure schedule for each ride which will set the basis for instructing ride operators, i.e. loading, starting, monitor movement or equipment, stopping, unloading.

Also including rules:-

6. - Every owner and operator shall make every attendant aware of all safety standards applicable to the amusement ride.
7. - No person shall operate or cause to be operated an amusement ride that has become unsafe through usage.
8. - No person shall be in the immediate vicinity of the operating controls of the amusement device during the operation and no person other than the attendant or operator shall be permitted to handle such operating controls during normal operation.
9. - An amusement ride shall not be overcrowded or loaded in excess of its carrying capacity, nor shall it be operated at any speed beyond that recommended by the manufacturer.
10. - An amusement ride shall not be operated under weather conditions which alter the performance of the ride, or the safety and comfort of the customer, except to release or discharge occupiers. All devices must be guyed or anchored to withstand winds of up to 70 m.p.h.
11. - Amusement rides shall be properly illuminated, especially with respect to access and exits in order to prevent personal injuries.
12. - The operator shall provide a standard system of signals for the starting and stopping of amusement rides, it being understood that the signals will provide the operator or attendant with a means to operate the amusement ride where the operator or attendant does not at all times have a clear view to the point where passengers are loaded or unloaded.
13. amended - The interior and exterior parts of the amusement ride shall be so maintained to prevent injury to passengers and where children are permitted to ride on amusement rides, adequate protection must be provided for the children through safety bar safety belts or other suitable measures.
14. - The owner, operator and attendant shall maintain the manufacturer's instructions and Canadian Safety Association standard for the amusement ride in a good condition and readily available. The owner, operator and attendant shall ensure that the area where equipment to which the public should not have access is suitably fenced or barricaded to the satisfaction of the Corporation of the City of Kingston.

April 3, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS the City is undertaking a major study this summer of housing bulk in 'A' (One and Two Family) zones; and

WHEREAS in the opinion of the Board it is important for action to be taken prior to the completion of this study in order to alleviate the problem of unsympathetic additions;

THEREFORE BE IT RESOLVED THAT the City of Kingston prohibit the conversion of single-family homes to ~~duplexes~~ in this area as a temporary measure until the study has been completed; and

Two family dwellings
BE IT FURTHER RESOLVED THAT all additions to one and two-family homes adding more than 10% to the size of the dwelling be submitted for development control.

prohibit conversion of one family to two family dwellings
(See By-Law 3: No. 79-66)

2. WHEREAS in November, 1977, Council agreed that the City should charge a fee of \$100.00 for an application to amend the Official Plan and a fee of \$50.00 to amend the Zoning By-Law; and

WHEREAS, in the opinion of the Planning Board, there have been increased costs to the City during the past few years in connection with applications for Official Plan and Zoning By-Law amendments;

THEREFORE BE IT RESOLVED THAT the fee structure for Official Plan and Zoning By-Law amendment applications be amended as follows:

Official Plan Amendment	\$125.00
Zoning By-Law Amendment	75.00

3. WHEREAS Canada has adopted a policy of adopting a metric system of measurement; and

WHEREAS the Minister of Housing for the Province of Ontario has prescribed guidelines for the conversion of planning documents to the metric system of measurement; and

WHEREAS the Province of Ontario has passed "The Metric Conversion Statute Law Amendment Act, 1979" in order to accommodate converted planning documents; and

3. (Cont'd)

WHEREAS the Minister of Housing, in a letter dated February 15, 1979, has also suggested that the City should consolidate all previous amendments to the Official Plan into one document;

THEREFORE BE IT RESOLVED that a By-Law be passed to:

- a) Repeal the Official Plan for the City of Kingston and all amendments thereto with the exception of Amendments No. 74, part of 78 (which has been referred to the Ontario Municipal Board), 97, 100 and 101;
- b) Adopt a new explanatory text and maps constituting the Official Plan of the Corporation of the City of Kingston (note: this new consolidated Official Plan contains all policies which have been approved by the Minister and not repealed in section (a) above. The Plan has been converted to metric terms in conformity with the Provincial Guidelines of the Ministry of Housing);
- c) Repeal all By-Laws adopting Official Plan Amendments save and except By-Laws Nos. 8214, 8498, 9346, 79-16 and 79-18.

(See By-Law 4: No. 79-67)

4. WHEREAS plans submitted by Duyan Investments Limited for a retail/commercial building situated at 386-388 Princess Street, as follows:

Plan #1 - Site Plan - Scale 1"=10' - January 1979

Plan #2 - Floor Plan - Scale 1/4"=1' - Jan. 1979

Plan #3 - Elevations - Scale 1/4"=1' - Feb. 1979

(Stone & Kohn, Architects)

have been considered by the Development Control Committee and by Planning Board; and

WHEREAS the following conditions were suggested if the plans were to be approved:

- a) *that the development shall be in accordance with the above listed plans;*
- b) *that all parking areas and access routes shall be paved;*
- c) *that a landscaping plan shall be submitted within three months of approval by Council and implemented within one year of the issuance of the building permit (dry landscaping is recommended);*
- d) *that the interior layout as shown on Plan #2 - Floor Plan - is not subject to the requirements of development control;*
- e) *that prior to the issuance of the building permit grading and servicing plans shall be submitted to the City for the approval of the Commissioner of Works;*

4. (Cont'd)

- f) that any connection of storm drainage to the combined sewer in Princess Street shall be subject to the approval of the City;
- g) that a new water service shall be supplied to the satisfaction of the Public Utilities Commission;
- h) that electric supply shall be by 120/208V three phase underground supply from the existing bus on Princess Street and the existing service duct shall be extended at the owner's cost and the owner shall also bear the cost of all cable beyond ten feet from the streetline;
- i) that all exterior air conditioning or mechanical units shall be screened in a manner which is acceptable to the City;
- j) that the design and location of all exterior lighting shall be submitted to the City for its approval;
- k) that all garbage shall be stored in a suitable interior storage area between pick-up days.

- and -

WHEREAS, after consideration, the Planning Board is of the opinion that the proposed building is not compatible with the surrounding area and that it is not desirable to have a one-storey, set-back building in this area of the City;

THEREFORE BE IT RESOLVED that the application for Development Control approval made by Duyan Investments Limited with respect to a retail/commercial building located at 386-388 Princess Street, NOT be approved.

5. That, as recommended by the Committee of Adjustment the following resolution of the County of Peterborough be endorsed:

"WHEREAS the Planning Act R.S.O. 1970 Chapter 349, Section 42 (6) provides that the Tariff and Fees payable in respect of applications for Severance made to a Committee of Adjustment/Land Division Committee shall not be more than \$50.00; and

WHEREAS the costs incurred by the said Committee in considering each application far exceeds this maximum tariff; and

WHEREAS the general taxpayer is obligated to pay for any deficit incurred by the said Committee; and

WHEREAS the applicant is the beneficiary of any profit or gain that may be gained due to the severance;

5. (Cont'd)

NOW THEREFORE be it resolved, that the Government of Ontario be requested to amend The Planning Act R.S.O. 1970, Chapter 349, Section 42(6) to permit a Committee of Adjustment/Land Division Committee to charge a fee that is related to the charges incurred by the said Committee."

Respectfully submitted,

CHAIRMAN

Report No.42

April 2, 1979

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

1. That the account of S.M.I. for the overhauling and balancing of 5 snowblower augers at a cost of \$5036.76 including sales tax on materials, be paid and the expenditure charged to Equipment Account 277-2.

Note S.M.I. is the only Company that can repair these augers. 5 new augers would have cost \$7500.00.

2. That the quotation of KIMCO Ltd of \$5.00 per ton for scrap metallic wastes to be collected during Spring Clean-up, be accepted being the only quotation received.

Respectfully submitted,

Chairman

To the Mayor and Aldermen:

April 5, 1979

The Finance and Accounts Committee reports and recommends as follows:

1. That the action of the Mayor and City Treasurer in accepting the tenders of the Bank of Montreal and the Canadian Imperial Bank of Commerce for the sale of \$1,000,000 (2 X \$500,000.) City of Kingston Treasury Notes at a price of \$99.074 per \$100.00. (Interest cost 11.00%), dated March 23, 1979 and maturing April 23, 1979, (31 days) be ratified, confirmed and approved.

(Note: Other tenders received as follows:

	<u>PRICE</u>	<u>APPROX. INTEREST COST</u>
Bank of Nova Scotia	\$99.062	11.15%
Toronto-Dominion Bank	99.055	11.23%
Nesbitt, Thomson	99.028	11.56%
Richardson Securities	99.064	11.125%
Wood Gundy	99.062	11.15%
Mead & Company	99.069	11.07%
Walwyn, Stodgell	99.058	11.20%
Midland, Doherty	99.062	11.15%
Royal Bank of Canada	99.070	11.05%.)

2. A. That the service contract with Mills Office Suppliers Limited for the 1500 system, 675 copier, Serial #483507, 369 offset, Serial #228, and 167 Converter, Serial #587002 in the amount of \$1,395.00 for the period January 1st 1979 to July 1st 1979 be approved. (\$2,790 per year).

(Note: This does not include the collator. 1978 Rate - 12 months - \$2,450.)

- B. That the service contract with Mills Office Suppliers Limited for the A.B. Dick 360 CD Offset, SN58852 in the amount of \$520.00 for the period January 1st, 1979 to July 1st, 1979 be approved. (\$1,040 per year).

(Note: 1978 Rate was \$936.00. Collator Portion of Automatic Printing System for 1978 - \$516.00).

3. That the Mayor and City Officials initiate discussions with major department stores concerning the possibility of locating new development in the Downtown Core of the City of Kingston.

4. That the following rates of pay be approved for summer students involved in recreational functions for the year 1979:

Day Camp Program

Supervisor	\$140.00 per week
Camp Craft Specialist	100.00 " "
Counsellors	95.00 " "
Counsellors-in-Training	-
Canoe/Safety Instructor	100.00 " "

4. (Cont'd)

Parks Activities Program

Supervisor	\$135.00 per week
Special Event Co-Ordinator	125.00 " "
Mobile Staff	105.00 " "
Leaders I	85.00 " "
Leaders II	85.00 " "
Junior Leaders	55.00 " "

Tots N' Tykes Program

Supervisor	\$135.00 per week
Leaders I	105.00 " "
Leaders II	85.00 " "

Waterfront Program

Acquatic Supervisor	\$ 3.75 per hour
Lifeguards	3.45 " "

Artillery Park Program

Lifeguards	3.45 per hour
Instructors	3.90 " "

Tennis Program

Tennis Instructor	7.00 per hour
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General Summer Student Rate for 1979 - \$3.12 per hour.

This is applicable at:

Lake Ontario Park	- Assistant Camp Attendants
Confederation Basin	- Assistant Dock Attendants
Portsmouth Olympic Harbour	- Assistant Dock Attendants
Golf Course	- Canteen Attendants
	- Starter
City Hall	- Tour Guides

Summer Students - Under 18 years of Age

No experience within the framework of the foregoing operations:

Minimum Rate of Pay - \$2.25 per hour which is tempered by past experience outside of the organization.

- Interim grading upward is considered as experience and initiative materializes during the course of this very short work experience.

(Note: There are two pay styles - hourly and weekly - both are governed by the minimum wage and hourly regulations plus skill and experience required.

Most programming people are weekly rated while the people doing physical functions are hourly.

With regard to the continuity factor regarding these summer rates, each program carries with it a different set of qualifications and skills as well as different responsibilities and working environment.

A copy of the report of Mr. D. Fluhrer, Commissioner of Parks and Recreation setting forth the above rates and providing information with regard to the qualifications

4. (Cont'd)

for the positions and the different programs was previously distributed to all members of Council.)

5. That application be made to the Ontario Municipal Board for approval of an Interim Quota relative to the 1979 Capital Budget of the City of Kingston in the amount of \$1,500,000.
6. That By-Law No. 5920, "A By-Law to Provide for the Licensing of Plumbing Contractors and Master Plumbers in the City of Kingston, and for the Repeal of By-Law No. 3222", be amended in Section 27 (i) which reads as follows:

"All work vehicles used by him in the course of business shall have painted on both sides of each such vehicle in letters and figures not less than 0.1 meters in height, clearly legible at a distance of 6.0 meters, the words, "Kingston License No.", followed by the number of the license issued by the City to such contractor; and"

to provide that the letters "Kingston License No." shall be not less than 5.08 centimetres in height and the figures not less than 10.16 centimetres in height.

(See By-Law 8: No. 79-71)

7. That the account of the Senior Citizens Council in the amount of \$9,012.00 being the City of Kingston's contribution for the establishment of a senior citizens centre under the Elderly Persons Centres Act be approved for payment.

(Note: Provision for this expenditure was made in the 1979 budget).

8. That the City enter into a renewal lease with Her Majesty the Queen represented by the Minister of Transport for a period commencing the first day of July, 1977, and ending June 30th, 1982 for a certain parcel or tract of land and land covered by the waters of the Public Harbour of Kingston described as follows:

"All and Singular that certain parcel or tract of land and land covered by the waters of the Public Harbour of Kingston, situate, lying and being in front of Farm Lots 22 and 23, Concession 1, formerly Township of Kingston, now in the City of Kingston, County of Frontenac and Province of Ontario, the said land comprising an area of five and one hundred and four thousandths (5.104) acres, more or less, and on the location shown outlined in red on a Plan of Survey, prepared by David T. Humphries, P.L.S., dated March 22, 1972."

upon and subject to all terms, covenants, provisoes, agreements, conditions and reservations contained and reserved in the said Lease.

8. (Cont'd)

(Note: The parcel or tract of land and land covered by the waters of the Public Harbour of Kingston is located on the south side of King Street East of the Water Purification Plant and being part of the King Street Breakwater.

The original lease provides for renewals of the lease for a total of 15 years at an annual rental of \$100.)

(See By-Law 9: No. 79-72)

9. A. That subject to the approval of the Ministry of Health, the County of Frontenac and the County of Lennox and Addington, the Agreement for the Health Unit be amended to provide for the following membership of the Board:
- "1) One resident of the City of Kingston, one resident of the County of Frontenac and one resident of the County of Lennox and Addington to be appointed by the Lieutenant-Governor in Council;
 - 2) Four members appointed by The Corporation of the City of Kingston who may be members of Council;
 - 3) Three members appointed by The Corporation of the County of Frontenac who may be members of Council;
 - 4) Two members appointed by The Corporation of the County of Lennox and Addington who may be members of Council."
- B. That the agreement between the parties for the Health Unit be amended to provide that the population of the Permanent Married Quarters in the Township of Pittsburgh will now be included in the determination of the population of the County of Frontenac.

(See By-Law 5: No. 79-68)

10. That the Children's Aid Society of the City of Kingston and County of Frontenac budget for 1979 in the amount of \$1,119,855 (the City's share of which is \$188,090.) be approved.
11. That, as requested by the Kingston Bureau of Tourism, the sum of \$10,000. be authorized to be paid to the Kingston Bureau of Tourism as the second quarter payment for 1979 from the City, it being noted that there are sufficient funds in the budget for this purpose.
- (Note: The 1979 Budget provides for \$40,000. for this purpose. \$10,000 payment authorized in January, 1979).*
12. WHEREAS at the meeting of City Council held on September 25, 1978, approval was given to the mortgage of the leasehold interest from Pesmo Limited to the Federal Business Development Bank in the amount of \$70,000.;

AND WHEREAS there is now need to invest further funds and as a result the City has been requested to approve of a new mortgage in the amount of \$110,000. of the leasehold interest;

12. THEREFORE BE IT RESOLVED that, as recommended by the City Solicitor, consent be granted to the mortgage of the leasehold interest from Pesmo Limited to the Federal Business Development Bank in the amount of \$110,000., it being understood that the previous mortgage will be discharged upon the execution and registration of the new mortgage.

(Note: Pesmo Limited operate Kingston Tennis World at the Norman Rogers Airport).

13. That, as recommended by the Public Works Committee, in order to stop pedestrain traffic crossing the Toronto-Montreal Main Line railroad tracks, the sum of \$1,400. be provided to erect a 165' long, 6' high chain link fence along the north side of the C.P.R. tracks from the Worthington Park Subdivision fence to the Division Street bridge abutment, and that the C.P.R. be requested to reply to the City Clerk-Comptroller's letter of December 28, 1978, in which they were requested to assume half of the cost of this fence.

- and further -

That the following budget transfer be approved:

	<u>Increase</u>	<u>Decrease</u>
Finance Contingencies	-	\$1,400.
Public Works - Fence Repairs	\$1,400.	-

It being noted that if the City receives the 50% from the C.P.R., it will be credited to revenue.

14. That, as recommended by the Director of Purchasing, Tender No. 79-11, "Utility Work Clothing for Parks and Works Department Personnel" be awarded, in part, in accordance with the following recapitulation:

SECTION A - PARKS DEPARTMENT

To Century Apparel Agency

112 Jackets \$1,276.30 (including Provincial Sales Tax)

To Caldwell Industries

240 Trousers	2,162.26	(including Provincial Sales Tax)		
110 Coveralls	1,758.44	"	"	"
100 Shirts, Short Sleeve	633.44	"	"	"
132 Shirts, Long Sleeve	1,081.90	"	"	"
	<u>\$6,912.34</u>			

SECTION B - WORKS DEPARTMENT

To Caldwell Industries

162 Jackets	\$1,794.06	(including Provincial Sales Tax)		
440 Trousers	4,025.34	"	"	"
282 Coveralls	4,281.69	"	"	"
252 Shirts, Short Sleeve	1,596.27	"	"	"
210 Shirts, Long Sleeve	1,599.86	"	"	"
	<u>\$13,297.22</u>			

14. (Cont'd)

(Note: Acceptance of this tender is required by April 21st, 1979.)

15. That, subject to the approval of the City Solicitor, the agreement between Bob Martin Construction Co. Ltd., and the City of Kingston for the purchase of certain lands located north of Bath Road and west of the extension of Queen Mary Road be amended as follows:

- a) To provide that the land to be purchased shall be divided into two parcels as follows:

i) Parcel 1

Part 1 as shown on Reference Plan 13R-3577 together with a right-of-way over Part 2 as shown on said Reference Plan.

ii) Parcel 2

Parts 2, 3 and 4 on Reference Plan 13R-3577.

- b) That the sum of \$200,000. be paid upon demand upon acceptance by Council of the appraisal to be obtained of Parcel 2.
- c) That subject to an appraisal of Parcel 2 to substantiate that it is of sufficient value to receive the indebtedness, the City shall accept a first mortgage on Parcel 2 in the amount of \$251,000. due February 15th, 1980 with Bob Martin Construction Co. Ltd., to make monthly payments of interest based on the City's borrowing rate.
- d) That upon payment of the \$200,000. for the first parcel and the entering into of the mortgage for the second parcel, the City will provide separate deeds for the two parcels of land.

(Note: Pursuant to the Agreement, Bob Martin Construction Co. Ltd., has paid \$50,000. of the total purchase price of \$501,000.)

16. Moved by Ald.
Seconded by Ald.

WHEREAS Council, by Clause 7, Report No. 29, 1979, approved plans for an extension of the Bell Canada Exchange Building at Princess and Garrett Streets subject to conditions which included:

"j) that approval shall be subject to the approval of the Committee of Adjustment with respect to minor variances for a reduction in the required number of parking spaces."

AND WHEREAS Council, also, by Clause 2, Report No. 28, 1979, granted permission to Bell Canada to "drain the roof water from the new addition to their building at 450 Princess Street to the existing combined sewer in Princess Street by means of a 6" storm lateral" subject to conditions;

AND WHEREAS the Committee of Adjustment has approved of the minor variance for a reduction in the required number of parking spaces and the last day to appeal this decision is April 12, 1979;

16. (Cont'd)

AND WHEREAS a report has been received from the Traffic, Streets and Parking Administrator notifying of his belief that the variance to reduce the required number of parking spaces from 29 to 9 is "Major" rather than "Minor" and should not be granted and recommending that the decision of the Committee of Adjustment be appealed by Council:

THEREFORE BE IT RESOLVED THAT the matter of the approval of the plans for an extension of the Bell Canada Exchange Building as approved in Clause 7, Report No. 29, 1979, and Clause 2, Report No. 28, 1979, be RECONSIDERED.

(Note: An affirmative vote of two-thirds of the members of Council who are present at the meeting is required in order to consider Clause 17 which follows).

Clause 17 to be considered only if Clause 16 is approved by a 2/3 vote of members present.

17. That the decision of the Committee of Adjustment of the City of Kingston in approving the application by Bell Canada for minor variance from the zoning by-law to permit a reduction in required parking spaces from 29 to 9 for a new one-storey addition to be built on the west side of the existing building situated on part of John Duff Lot, Lot 24, Concession I, and Part of Lots 4, 5, 6; Lots 7, 10, 11, 12, 13 (including Part of the Laneway), Registered Plan 134, at 450 Princess Street, be appealed to the Ontario Municipal Board.

(Note: Last day for appeal is April 12, 1979).

Respectfully Submitted,

CHAIRMAN

UNFINISHED BUSINESS

BY-LAWS

- (A) That By-Laws 1 to 12 be given their First & Second Readings.
- (B) That Rule No. 35 of By-Law 1 be suspended for the Purpose of Giving By-Laws 6 to 12 their Third Reading.
- (C) That By-Laws 6 to 15 be given their Third Reading.

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- (1) A By-Law to Change the Name of the Highway Known as "Green Drive" in the City of Kingston to "Apps Avenue"

(FIRST & SECOND READINGS) (PROPOSED NO. 79-64)
Clause 1, Report No. 38, 1979

- (2) A By-Law to Regulate and Control Eating or Drinking Establishments in the City of Kingston.

(FIRST & SECOND READINGS) (PROPOSED NO. 79-65)
Clause 2, Report No. 39, 1979

- (3) A Holding By-Law to Prohibit the Conversion of Single Family Homes to Duplexes in "A" Zones of By-Law 8499, and to Require that all Additions to one and two Family Homes of More Than 10% in the Size of the Building be Subject to Development Control.

(FIRST & SECOND READINGS) (PROPOSED NO. 79-66)
Clause 1, Report No. 41, 1979

- (4) A By-Law to Adopt an Official Plan of the City of Kingston Planning Area (Metric Consolidation).

(FIRST & SECOND READINGS) (PROPOSED NO. 79-67)
Clause 3, Report No. 41, 1979

- (5) A By-Law to Amend By-Law No. 5992, "A By-Law to Authorize the Execution of an Agreement with the Corporation of the County of Frontenac and the Corporation of the County of Lennox and Addington (District Health Unit)". (Increase Membership and Revise Method of Determination of Population of County of Frontenac).

(FIRST & SECOND READINGS) (PROPOSED NO. 79-68)
Clause 9, Report No. 43, 1979

- (6) A By-Law to Amend By-Law 4489, "A By-Law to Regulate, Supervise and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots. (Increase Monthly Rate on the McKee Municipal Parking Lot from \$15 to \$20.).

(THREE READINGS) (PROPOSED NO. 79-69)
Clause 2, Report No. 38, 1979

BY-LAWS (Cont'd)

- (7) A By-Law to Amend By-Law No. 21, "A By-Law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber". (Clauses 4, 5 and 6, Report No. 40).
(THREE READINGS) (PROPOSED NO. 79-70)
Clauses 4, 5 and 6, Report No. 40, 1979
- (8) A By-Law to Amend By-Law No. 5920, "A By-Law to Provide for the Licensing of Plumbing Contractors and Master Plumbers in the City of Kingston, and for the Repeal of By-Law No. 3222". (Amend Section 27)
(THREE READINGS) (PROPOSED NO. 79-71)
Clause 6, Report No. 43, 1979
- (9) A By-Law to Amend By-Law No. 7364, "A By-Law to Authorize the Execution of an Agreement with Her Majesty the Queen in Right of Canada, Represented by the Minister of Transport (Lease of 5.104 Acres of Waterlot, in Front of Farm Lots 22 and 23, Concession I, City of Kingston". (Part of King Street Breakwater - Extend Period to June 30, 1982).
(THREE READINGS) (PROPOSED NO. 79-72)
Clause 8, Report No. 43, 1979
- (10) A By-Law to Levy a Tax of 41.912 Mills on the Dollar Upon the Assessed Value of Residential and Farm Property in the City of Kingston, for the Lawful Purposes of the Frontenac, Lennox and Addington County Roman Catholic Separate School Board, for the year 1979.
(THREE READINGS) (PROPOSED NO. 79-73)
City Council Meeting No. 15, 1979
- (11) A By-Law to Levy a Tax of 46.567 Mills on the Dollar Upon the Assessed Value of Commercial, Business, Professional, Industrial and Manufacturing Property of the City of Kingston, for the Lawful Purposes of the Frontenac, Lennox and Addington County Roman Catholic Separate School Board, for the year 1979.
(THREE READINGS) (PROPOSED NO. 79-74)
City Council Meeting No. 15, 1979
- (12) A By-Law to Confirm the Proceedings of Council at Its Meeting Held April 9, 1979.
(THREE READINGS) (PROPOSED NO. 79-75)
City Council Meeting No. 15, 1979
- (13) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act". (Clause 1, Report No. 31, 1979).
(THIRD READING) (PROPOSED NO. 79-48)
Clause 1, Report No. 31, 1979

(Note: Ministry of Transportation & Communications Approval
REQUIRED.)

BY-LAWS (Cont'd)

- (14) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act". (Clauses 2 and 4, Report No. 31, 1979).

(THIRD READING)

(PROPOSED NO. 79-49)

Clauses 2 and 4, Report No. 31, 1979

(Note: Ministry of Transportation & Communications Approval REQUIRED).

- (15) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulation, Supervision and Control of Such Parking Meters". (Clause 3, Report No. 31, 1979).

(THIRD READING)

(PROPOSED NO. 79-50)

Clause 3, Report No. 31, 1979

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MOTIONS



CITY COUNCIL MEETING NO. 15

The Regular Meeting of City Council was held on Monday, April 9, 1979, in the Council Chamber, City Hall, at 8:05 p.m. His Worship Mayor Keyes Presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnoweczy, Ald. Timmins, Ald. Webb (15)

TABLING OF DOCUMENTS

- (1) Financial Statements for the following for the year ended December 31, 1978, and Report of the Auditors, Thorne Riddell & Company, Chartered Accountants, thereon:
- a) The Corporation of the City of Kingston;
 - b) The Public Utilities Commission of the City of Kingston;
 - c) The Kingston Public Library Board; and
 - d) The Kingston Community Memorial Centre Board.

MINUTES

Moved by Ald. McArthur,
Seconded by Ald. Miller,

That the Minutes of City Council Meeting No. 14, held on March 26, 1979, be amended on page 323, Finance & Accounts Report No. 37, Clause 13, Subsection 5, to delete the figures "\$2.00" and substitute therefore the figures "\$20.00".

- and -

That the Minutes of City Council Meeting No. 14, held on March 26, 1979, as amended, be approved.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communications Nos. 240 to 249.

Filed

- (228) From the Ontario Good Roads Association enclosing two copies of their "Directory of Company Members". All companies listed in the Directory are in business to provide the services, machinery, equipment or materials required in the construction or maintenance of municipal roads and bridges.
- (Note: Copy forwarded to the Director of Public Works.)
- (229) From the Ministry of Community and Social Services, copy of their publication entitled "Children's Services" for the month of March, 1979.
- (230) From the Ministry of Intergovernment Affairs, copy of their publication entitled "Background" No. 79/11, dated 16th March, 1979, together with Bulletin No. 18 entitled "Liability Protection".
- (Note: Copies have been distributed to all members of Council).

COMMUNICATIONS (Cont'd)

Filed (Cont'd)

- (231) From the Hon. Frank Drea, Minister of Consumer and Commercial Relations, acknowledging receipt of Council's resolution (Motion 1, City Council Meeting No. 5, Page 166) requesting the Province to provide a more equitable method of taxation for condominiums.

Referred to the Community Services Committee

- (232) From the Hon. Frank S. Miller, Treasurer of Ontario, notifying that the Minister of Housing, the Hon. Claude Bennett, had forwarded Council's resolution (Motion 1, City Council Meeting No. 5, Page 166) regarding condominiums to him and stating:

"I cannot agree with the request that condominiums be given special property tax treatment for a number of reasons. First, property taxes are not a payment for services, but are the taxes paid to support the local level of government. For example, owners of vacant land receive practically no service from local governments but still pay taxes on the same basis as other property owners. Second, an amendment was made to The Assessment Act in 1975 so that condominiums could have a comparable level of taxation to single family dwellings. This brought considerable tax relief to condominium owners, and put them at an advantage relative to owners of rental apartments who pay higher taxes than condominiums and frequently receive the same limited municipal services.

Third, in many municipalities the costs and revenues associated with condominium and other developments are weighed as part of the decision as to whether a development is allowed to proceed. Developments are often approved only because the cost of certain services are being provided by the developer, or through him by the purchasers of the new properties. Where a development is not expected to yield sufficient tax revenues to offset costs, municipalities frequently impose a lot levy to make up the difference. If condominiums were now to be taxed at a lower rate, then many municipalities might impose higher lot levies so there would be no net gain to condominium owners.

I do not know if this is the case in Kingston, but to the extent that financial considerations are an issue in development approval in the City, then any tax concession given now would have the effect of changing the agreements freely entered into between the developers of condominiums and the City. The changes would, in effect, shift tax burdens from existing condominium owners to other ratepayers.

Finally, I note that many municipalities which do not provide services to certain types of property sometimes rebate amounts to owners of such property in recognition of the limited service. For example, the City of Kitchener rebates rental apartment owners for reduced garbage disposal service. The City of Kingston may wish to consider a similar type of program for row house condominiums.

I hope this clarifies the position of the Province with regard to the property tax treatment of condominiums."

Filed

- (233) From the Frontenac-Lennox and Addington County Roman Catholic Separate School Board requesting City Council to provide it with the sum of \$686,994.00 by tax levy upon the Separate School Supporters of the City of Kingston.

(See By-Laws 10 & 11:

Nos. 79-73 and 79-74)

COMMUNICATIONS (Cont'd)

Referred to the City of Kingston Planning Board

- (234) Notice of Application to the Ontario Municipal Board by The Corporation of the Township of Pittsburgh for approval of a By-Law to regulate land use passed pursuant to Section 35 of the Planning Act. The effect of this By-Law is to permit the development of Residential and Open Space uses in accordance with a plan of subdivision East of the Great Cataraqui River. The last date for filing objections will be April 23, 1979.

Filed

- (235) From the Kingston District Chamber of Commerce notifying of the following motion passed unanimously at a recent meeting of the Board of Directors:

"That the Chamber of Commerce whole-heartedly support the concept of the Semi-Mall proposed for the downtown core and that letters be sent to the D.B.A., the Core Committee and the City of Kingston indicating this support."

- (236) From the Kingston and District Association for the Mentally Retarded, thanking the City of Kingston for its generous donation of \$500. towards the cost of the President's Reception on the occasion of the opening session of the Annual Conference of the Ontario Association for the Mentally Retarded.

- (237) From the Performing Arts Office, Queen's University thanking the City of Kingston for its grant in the amount of \$2,500. for the season 1979-1980.

Referred to the Finance & Accounts Committee

- (238) From the Minister of Housing, The Hon. Claude F. Bennett, acknowledging receipt of the City's letter regarding the Rent Supplement Program in Kingston expressing Council's concern with respect to some aspects of the Program.

(Note: A meeting has been arranged for April 18 with the Director of the Central/East Region, Community Housing Branch of the Ministry of Housing and Members of the Finance Committee).

Referred to the Finance and Accounts Committee and the City of Kingston Planning Board and the Committee of the Whole.

- (239) From the Association of Women Electors of Kingston Area requesting Council's reconsideration of By-Law No. 79-24 authorizing an application to the County Judge to close a portion of King Street East, lying north of Place d'Armes.

(Note: Copy of letter distributed to each member of Council.)

Referred to the City of Kingston Planning Board and the Downtown Core Committee and the Committee of the Whole

- (240) A Brief submitted by the St. Mary's School Parent Advisory Committee with regard to the closing of St. Mary's School, effective June 30th, 1979, and stating therein their opposition to this closing.

COMMUNICATIONS (Cont'd)

Referred to the Parks & Recreation Committee

- (241) From the Association of Women Electors of Kingston Area urging City Council to reconsider Mrs. Clare Still's proposal for a refreshment 'pantry' in the market square.

Referred to the Community Services Committee

- (242) From the Non-Smokers' Rights Association commending City Council's consideration of a By-Law to Regulate Smoking in Public Places.

Filed

- (243) Copy of request from the Subdivisions Branch, Ministry of Housing, to Airport Properties Branch of Transport Canada, requesting comment on whether construction of an arterial road across the north-east corner of the Norman Rogers Airport, as proposed as part of adjoining subdivision (File No. 10T-78027), would hinder the future operation of the airport and noting that a noise impact study by the owners takes into account the future extension of the east-west runway and that this will also be considered by the Ministries studying the subdivision application.

- (244) From Mr. N. Jackson, City Solicitor, submitting his opinion on the two motions that were considered and approved by the Planning Board in Minute 79-180 of Meeting No. 7, held April 3, 1979.

(Note: Copy distributed to each member of Council).

- (245) From the City Solicitor, commenting on the effect of Development Control on the property on the west side of Queen Mary Road, north of Bath Road, proposed to be purchased by Bob Martin Construction Co. Ltd.

*(Note: Copy distributed to each member of Council.
See Clause 15, Report No. 43, 1979).*

- (246) From the City Solicitor suggesting an amendment to clause 1, Report No. 41, to delete the word "developers" and to substitute therefore the words "two family dwellings";

and commenting on the effect of the Clause as it affects the conversion of single family houses and as it affects Development Control.

(Note: Copy of letter distributed to each member of Council.)

- (247) Letter from the City Solicitor regarding the legality of the Finance Committee meeting on Thursday, April 5, 1979, as the six hours notice provided for in By-Law No. 1 was not given.

(Note: Copy distributed to each member of Council).

- (248) Memorandum from Mr. K. Linseman, Administrator of Traffic, Streets and Parking Department, dated April 4, 1979, with regard to the Appeal of the Committee of Adjustment Decision on the Variance for Bell Canada, enclosing a complete report.

(Note: Copy distributed to each member of Council.)

COMMUNICATIONS (Cont'd)

Filed (Cont'd)

- (249) Letter from Mr. K. Linseman, Administrator of Traffic, Streets and Parking Department, dated April 9, 1979, with regard to the Development Control Plan for Bell Canada recommending that the Development Control Committee not deal with any plans unless the applicant has fulfilled the regulations of Kingston's Zoning By-Law and that members of the Technical Committee be informed of the comments of the other members prior to the submission to the Development Control Committee.

(Note: Copy distributed to each member of Council.)

PETITIONS

A Petition was presented by Ald. Miller containing 458 signatures, reading as follows:

"We the undersigned protest vigorously the present provisions in the zoning by-law and the building code for the City of Kingston which allow landlords to convert and make substantial additions to Zone A Housing Units, effectively changing once lovely one and two family dwellings into overpopulated tenements.

We are residents from all walks of life (including students) and merchants who live and/or work in the older core of Kingston. We feel that these additions destroy the normal balance of our neighbourhoods, which have been an interesting and healthy blend of senior citizens, young families and students. As the stable residential quality of our area is destroyed, our public and separate schools are threatened by declining enrolments and downtown businesses will inevitably suffer as well.

We are outraged by the rapid social and aesthetic decline of our neighbourhoods, as "investment properties" owned by a few speculators become more numerous and through neglect become eyesores and slums. We are angry that students and other people who prefer to live within walking distance of the university and the downtown business district are being victimized through exorbitant rents charged for substandard living accommodations.

We hereby petition the City of Kingston to place a moratorium on all further substantial additions to existing residences while studies are completed prior to revision of the existing but inadequate by-laws."

The Petition was referred to the City of Kingston Planning Board.

REPORTS

Ald. Tarnowecy presented Report No. 38 of the Transportation Committee as follows:

Moved by Ald. Tarnowecy,
Seconded by Ald. Miller,

That Report No. 38 of the Transportation Committee be received and adopted clause by clause.

REPORTS (Cont'd)

Report No. 38 - Transportation Committee (Cont'd)REPORT NO. 38

To the Mayor and Alderman:

March 28th, 1979

The Transportation Committee reports and recommends as follows:

1. That the name 'Green Drive' be changed to 'Apps Avenue'.

NOTE: The name change was requested by the Postmaster and Dacon Corporation, to alleviate confusion which has resulted from a duplication of names in areas served by the Kingston Post Office. Ernestown Township also has a Green Drive.

(See By-Law 1: No. 79-64)

*REFERRED BACK TO TRANSPORTATION COMMITTEE
(See following Motion of Referral)*

Moved by Ald. Tarnowecky,
Seconded by Ald. Hawkins,

That Clause 1, Report No. 38 be referred back to the Transportation Committee for consideration as to whether a change in street numbers would avoid a renaming of the street.

CARRIED

2. That a by-law be presented to Council to amend By-law 4489 (Parking Lots) to provide that the monthly parking rate on the McKee Municipal parking lot be increased from \$15 to \$20, retroactive to April 1st, 1979.

NOTE: The McKee lot was omitted from the monthly parking rate increases for municipal parking lots dealt with by Council in Report No. 31.

(See By-Law 6: No. 79-69)

*CARRIED
(Ald. McArthur & Ald. Webb Opposed)*

3. That application be made to the Ministry of Transportation and Communications for subsidy in connection with the following 1979 Airport projects:

REPORTS (Cont'd)

Report No. 38 - Transportation Committee (Cont'd)

3. (Cont'd)

	<u>Gross Cost</u>	<u>Anticipated Subsidy</u>
<u>Airport Master Plan</u> as per quotation from DeLCan- Wallace, Airport Planning and Engineering Consultants	\$ 21,600.	Unknown
<u>Runway 06R-24L Improvements</u> <u>Asphalt and Runway Lighting</u>	<u>130,600.</u> <u>\$152,200.</u>	Unknown

NOTE: City Council has approved \$120,800. as the City's share for these projects which are included in the 1979 Airport Capital and/or Current Operating Budgets.

CARRIED

Respectfully Submitted,

(Signed) Y. Tarnowecky (Chairman)
Lois E. Miller
J. Clark
John Clements
G.L. Webb

* * *

Alderman Gerretsen presented Report No. 39 of the Community Services Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins

That Report No. 39 of the Community Services Committee be received and adopted clause by clause.

REPORT NO. 39

March 29, 1979

To the Mayor and Aldermen:

The Community Services Committee reports and recommends as follows:

1. That the daily rate charged to full pay Residential Care residents at Rideaucrest Home for the Aged be increased from \$19.00 to \$22.50, effective April 1, 1979.

(Note: Budget figures for 1979 indicate that the daily cost to the Home for Residential Care is now \$22.46).

CARRIED

REPORTS (Cont'd)

Report No. 39 - Community Services Committee (Cont'd)

2. That a By-Law be presented to Council to prohibit "topless", etc., serving persons in the City of Kingston, as more particularly described in Schedule 'A' attached hereto.

(See By-Law 2: No. 79-65)

CARRIED AS AMENDED

(See following motion to amend)

Moved by Ald. Miller,
Seconded by Ald. Webb,

That Schedule "A" to Clause 2, Report No. 39, be amended to add to Section 1 (i) after the word "and", the words, "in the case of a male person, his chest and;"

CARRIED 12:3

(See recorded vote)

Ald. Webb requested a recorded vote on the motion of Ald. Miller and Ald. Webb which was as follows:

YEAS: Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Webb. (12)

NAYS: Ald. Knapp, Ald. Tarnowecky, Ald. Timmins. (3)

3. That the City of Kingston approves 'FOLKLORE 79' as a Community Festival to be held June 8, 9 and 10, 1979 at the following locations :

Ukrainian - Ukrainian Hall, 472 Bagot Street
Dutch - St. Patrick's School, 158 Patrick St.
Canadian - Calvin Park School, Van Order Dr.
Danish - Steelworkers Hall, Concession St.
Scottish - Oddfellows Hall, 394 Princess St.
Austrian - Austrian Hall, Gardiner's Road
Portuguese - Loyalist Collegiate
West Indian - Cook's Youth Centre
Hungarian - Rideau Public School
Chinese - Winston Churchill School
French - Cathedral School, 301 Johnson St.
Greek - Greek Community Hall, 119 Johnson St.
Italian - Italo-Canadian Club, Montreal Street

subject to the approval of the School Boards with regard to the school facilities.

CARRIED

Respectfully submitted,

(Signed) J.P. Gerretsen
J. Hawkins
Bill Bishop
W. Knapp
G. Webb

(Chairman)

BY-LAW NO. 79-65

A BY-LAW TO REGULATE AND CONTROL EATING OR DRINKING ESTABLISHMENTS IN THE CITY OF KINGSTON.

PASSED:

The Council of The Corporation of the City of Kingston hereby enacts as follows:

1. In this by-law, the following shall serve as definitions:

(a) "Eating or drinking establishments" means

- (i) every place for the lodging, reception refreshment or entertainment of the public;
- (ii) every place where food stuffs, intended for human consumption are made for sale, offered for sale, stored or sold;
- (iii) every victualling house, ordinary, and house where fruit, fish, oysters, clams, or victuals are sold to be eaten therein; and
- (iv) any other place or premises or part thereof, named or described in section 2 of this by-law, where food or drink is served in pursuance of a trade, calling, business or occupation,

whether or not any person is licensed or required to be licensed under any by-law for the carrying on of or engaging in any trade, calling, business or occupation in respect of such eating or drinking establishment.

(b) "Food or drink" includes any kind of victuals, refreshments, alcoholic and non-alcoholic beverages, and any other commodity intended for human consumption;

(c) "To operate" includes to manage, supervise and otherwise be responsible for the control, management or supervision of an eating or drinking establishment or of any serving person employed or performing services therein, whether or not the person so operating such establishment is licensed or required to be licensed under this by-law.

(d) "Serving person" includes a waiter, waitress, host, hostess, bartender, cook and every other person serving or making available food or drink in pursuance of a trade, calling, business or occupation in an eating or drinking establishment, and every person involved in providing such services, whether or not any such person is licensed or required to be licensed under this by-law.

(e) "Specified body areas" means:

- (i) in the case of a female person, her breast and in the case of a male person, his chest; and
- (ii) in the case of all persons, the pubic, perineal and perianal areas and the buttocks.

2. No serving person shall in any eating or drinking establishment in the City of Kingston serve or make available food or drink in pursuance of a trade, calling, business or occupation or be involved in providing such services, except while wearing clean, opaque clothing, fully covering such person's specified body areas.

3. No person who operates an eating or drinking establishment shall permit any serving person in such establishment to serve or make available food or drink in pursuance of a trade, calling, business or occupation, or to be involved in providing such services, unless such serving person is clothed in accordance with the provisions of subsection 2.

4. Any person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty to a maximum of \$1,000 and the fine is recoverable under The Summary Convictions Act.

5. This by-law shall come into full force and effect on the day of its passing.

GIVEN FIRST AND SECOND READINGS the

GIVEN THIRD READING AND FINALLY PASSED the

REPORTS (Cont'd)

Ald. Gorham presented Report No. 40 of the Parks & Recreation Committee as follows:

Council consented to the amendment of Clause 5 by deleting the words, "every second Monday for their twice", and substituting therefor the words "the second Monday of each month for their" and the withdrawal of Clause 1.

Moved by Ald. Gorham,
Seconded by Ald. Bishop,

That Report No. 40 of the Parks & Recreation Committee be received and adopted clause by clause.

REPORT NO. 40

MARCH 29, 1979.

To the Mayor and Aldermen:

The Parks & Recreation Committee reports and recommends as follows:

1. That the lease agreement between the City of Kingston and Lake Ontario Amusements be amended to include Rules & Regulations Regarding Operation of Amusement Riding Devices, which is shown on attached Appendix "A".

WITHDRAWN

2. That the lease agreement between the City of Kingston and Lake Ontario Amusements be amended to include the establishment of a Games Arcade on a one-year trial basis, in a location within the concessionaire's area satisfactory to the Commissioner of Parks & Recreation, and the City of Kingston to receive 15% of the total gross sales.

*REFERRED BACK TO PARKS & RECREATION COMMITTEE
(See following Motion of amendment and Referral)*

Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Clause 2, Report No. 40 be amended to delete the figures "15%" and substitute the figures "25%".

*REFERRED BACK TO PARKS & RECREATION COMMITTEE
(See following Motion)*

Moved by Ald. Clark,
Seconded by Ald. Matthews,

That Clause 1, Report No. 40 and the amendment of Ald. Clements and Ald. Gerretsen be referred back to the Parks & Recreation Committee.

CARRIED 11:4

REPORTS (Cont'd)

Report No. 40 - Parks & Recreation Committee (Cont'd)

3. That agreements be entered into with the following groups to rent space at the J. K. Tett Creativity Centre, 370 King St. West, in accordance with the rental policy approved by City Council:

<u>Group</u>	<u>Term of Lease</u>	<u>Area</u>	<u>Yearly Rent</u>
The Canadian Corps. of Commissionaires	5 yrs.	5168 sq.ft.	\$5,168.00
Rape Crises Centre	5 yrs.	174 sq.ft.	\$ 174.00
West Indian Assoc.	5 yrs.	266 sq.ft.	\$ 266.00

(NOTE:) This item was referred back to the Parks & Recreation Committee by Council for clarification as to whether the organizations noted above are non-profit. The City Solicitor has provided a document indicating that the organizations are non-profit.

CARRIED

(Ald. Gerretsen and Ald. Hawkins Opposed)

4. That notwithstanding the provisions of By-Law No. 21 - A By-law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Kingston Arts Council be permitted to use the Loyalist Room at no charge on the second Tuesday of each month, January - December, 1979, at 7:30 P.M., for their monthly meetings, it being understood they will relinquish the use of the room if it is required by the City.

(See By-Law 7: No. 79-70)

CARRIED

5. That notwithstanding the provisions of By-Law No. 21 - A By-Law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Advisory Committee to City Council on the Needs of the Handicapped & Elderly be permitted to use the Loyalist Room at no charge the second Monday of each month for their monthly meetings, it being understood they will relinquish the use of the room if it is required by the City.

CARRIED AS AMENDED

6. That notwithstanding the provisions of By-Law No. 21 - A By-law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Federal Election Nomination Day group be permitted to use Memorial Hall at no charge on April 30th, 1979, at 1:30 P.M., it being understood they will relinquish the use of the room if it is required by the City.

(See By-Law 7: No. 79-70)

CARRIED

REPORTS (Cont'd)

Report No. 40 - Parks & Recreation Committee (Cont'd)

Respectfully submitted,

(Signed) M.B. Gorham (Chairman)
Bill Bishop
J. Clark
A. Lampropoulos
Neil McArthur

March 23, 1979

Rules And Regulations Regarding

Operation of Amusement Riding Devices - Lake Ontario Park

The owner or his agents shall submit to the Corporation of the City of Kingston, prior to operation of Amusement Riding Devices in Lake Ontario Park, annually as follows:

1. Inspection Report from the Canadian Outdoor Amusement Association or designate of that organization,
 - (a) listing and identifying rides inspected and approval for rides as to compliance with manufacturer specifications
 - (b) installation and location
 - (c) proposed operating and maintainance schedule, submitted by the owner.

Where additional rides are used in the Park on promotional events, C.O.A.A. approvals are required as well as evidence of extended liability insurance.

2. Inspection Report from the Ontario Hydro showing installation to be acceptable.
3. Comply with Canadian Standards Association - Midway Safety Code and supply the City with a certificate of intension to operate within the specified scope of the aforementioned schedules.
4. Identify the ride supervisor or alternate to be on duty in the Park when rides are in operation.
5. Provide an operating procedure schedule for each ride which will set the basis for instructing ride operators, i.e. loading, starting, monitor movement or equipment, stopping, unloading.

Also including rules:-

6. - Every owner and operator shall make every attendant aware of all safety standards applicable to the amusement ride.
7. - No person shall operate or cause to be operated an amusement ride that has become unsafe through usage.
8. - No person shall be in the immediate vicinity of the operating controls of the amusement device during the operation and no person other than the attendant or operator shall be permitted to handle such operating controls during normal operation.
9. - An amusement ride shall not be overcrowded or loaded in excess of its carrying capacity, nor shall it be operated at any speed beyond that recommended by the manufacturer.
10. - An amusement ride shall not be operated under weather condition which alter the performance of the ride, or the safety and comfort of the customer, except to release or discharge occupiers. All devices must be guyed or anchored to withstand winds of up to 70 m.p.h.
11. - Amusement rides shall be properly illuminated, especially with respect to access and exits in order to prevent personal injuries.
12. - The operator shall provide a standard system of signals for the starting and stopping of amusement rides, it being understood that the signals will provide the operator or attendant with a means to operate the amusement ride where the operator or attendant does not at all times have a clear view to the point where passengers are loaded or unloaded.
13. amended - The interior and exterior parts of the amusement ride shall be so maintained to prevent injury to passengers and where children are permitted to ride on amusement rides, adequate protection must be provided for the children through safety bar safety belts or other suitable measures.
14. - The owner, operator and attendant shall maintain the manufacturer's instructions and Canadian Safety Association standard for the amusement ride in a good condition and readily available. The owner, operator and attendant shall ensure that the area where equipment to which the public should not have access is suitably fenced or barricaded to the satisfaction of the Corporation of the City of Kingston.

REPORTS (Cont'd)

Ald. Timmins presented Report No. 41 of the City of Kingston Planning Board as follows:

Council consented to the withdrawal of Clause 4, Report No. 41.

Moved by Ald. Timmins,
Seconded by Ald. Clements

That Report No. 41 of the City of Kingston Planning Board be received and adopted clause by clause.

Ald. McArthur withdrew from the meeting at 9:35 p.m. and returned at 9:40 p.m.

Ald. Lampropoulos withdrew from the meeting at 9:40 p.m. and returned at 9:50 p.m.

REPORT NO. 41

April 3, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS the City is undertaking a major study this summer of housing bulk in 'A' (One and Two Family) zones; and

WHEREAS in the opinion of the Board it is important for action to be taken prior to the completion of this study in order to alleviate the problem of unsympathetic additions;

THEREFORE BE IT RESOLVED THAT the City of Kingston prohibit the conversion of single-family homes to duplexes in this area as a temporary measure until the study has been completed; and

BE IT FURTHER RESOLVED THAT all additions to one and two-family homes adding more than 10% to the size of the dwelling be submitted for development control.

(See By-Law 3: No. 79-66)

REFERRED BACK TO THE PLANNING BOARD
(See following Motions for amendment and referral)

Moved by Ald. Miller,
Seconded by Ald. Knapp,

That Clause 1, Report No. 41 be amended as follows:

- a) Delete the second Resolved which reads as follows:

"Be it Further Resolved that all additions to one and two-family homes adding more than 10% to the size of the dwelling be submitted for development control".

REPORTS (Cont'd)

Report No. 41 - Planning Board

1 (Cont'd)

Motion of Amendment (Cont'd)

- b) Amend the first Resolved by deleting the word "duplexes" and substituting the words "two-family dwellings" so that the first Resolved will now read as follows:

"THEREFORE BE IT RESOLVED THAT the City of Kingston prohibit the conversion of single-family homes to two-family dwellings in this area as a temporary measure until the study has been completed".

REFERRED TO THE PLANNING BOARD

(See following Motion of Referral by Ald. Timmins & Ald. Lampropoulos)

Moved by Ald. Clements,

Seconded by Ald. Webb,

That the Second Resolved, which reads as follows, be referred back to the Planning Board:

"BE IT RESOLVED THAT all additions to one and two-family homes adding more than 10% to the size of the dwelling be submitted for development control".

with the request that the Planning Board study the Official Plan and Zoning for all one and two family areas.

*CARRIED
and*

REFERRED TO THE PLANNING BOARD

Mayor Keyes ruled that the whole of Clause 1, Report No. 41 be referred back to the Planning Board and Ald. Clements appealed the ruling of the Chairman.

Prior to the challenge to the Mayor's ruling being seconded, the following motion was received, considered and carried:

Moved by Ald. Timmins,

Seconded by Ald. Lampropoulos,

That Clause 1, Report No. 41, and the Motion of Ald. Clements and Ald. Webb and the Motion of Ald. Miller and Ald. Knapp be referred back to the Planning Board.

CARRIED 13:2

(Ald. Clark & Ald. Clements Opposed)

2. WHEREAS in November, 1977, Council agreed that the City should charge a fee of \$100.00 for an application to amend the Official Plan and a fee of \$50.00 to amend the Zoning By-Law; and

WHEREAS, in the opinion of the Planning Board, there have been increased costs to the City during the past few years in connection with applications for Official Plan and Zoning By-Law amendments;

THEREFORE BE IT RESOLVED THAT the fee structure for Official Plan and Zoning By-Law amendment applications be amended as follows:

Official Plan Amendment \$125.00

Zoning By-Law Amendment 75.00

CARRIED

REPORTS (Cont'd)

Ald. Tarnowecky withdrew at 10 p.m.

Report No. 41 - City of Kingston Planning Board (Cont'd)

3. WHEREAS Canada has adopted a policy of adopting a metric system of measurement; and

WHEREAS the Minister of Housing for the Province of Ontario has prescribed guidelines for the conversion of planning documents to the metric system of measurement; and

WHEREAS the Province of Ontario has passed "The Metric Conversion Statute Law Amendment Act, 1979" in order to accommodate converted planning documents; and

WHEREAS the Minister of Housing, in a letter dated February 15, 1979, has also suggested that the City should consolidate all previous amendments to the Official Plan into one document;

THEREFORE BE IT RESOLVED that a By-Law be passed to:

- a) Repeal the Official Plan for the City of Kingston and all amendments thereto with the exception of Amendments No. 74, part of 78 (which has been referred to the Ontario Municipal Board), 97, 100 and 101;
- b) Adopt a new explanatory text and maps constituting the Official Plan of the Corporation of the City of Kingston (note: this new consolidated Official Plan contains all policies which have been approved by the Minister and not repealed in section (a) above. The Plan has been converted to metric terms in conformity with the Provincial Guidelines of the Ministry of Housing);
- c) Repeal all By-Laws adopting Official Plan Amendments save and except By-Laws Nos. 8214, 8498, 9346, 79-16 and 79-18.

(See By-Law 4: No. 79-67)

CARRIED

4. WHEREAS plans submitted by Duyan Investments Limited for a retail/commercial building situated at 386-388 Princess Street, as follows:

Plan #1 - Site Plan - Scale 1"=10' - January 1979

Plan #2 - Floor Plan - Scale 1/4"=1' - Jan. 1979

Plan #3 - Elevations - Scale 1/4"=1' - Feb. 1979

(Stone & Kohn, Architects)

have been considered by the Development Control Committee and by Planning Board; and

WHEREAS the following conditions were suggested if the plans were to be approved:

- a) that the development shall be in accordance with the above listed plans;
- b) that all parking areas and access routes shall be paved;

REPORTS (Cont'd)

Report No. 41 - City of Kingston Planning Board (Cont'd)

4. (Cont'd)

- c) that a landscaping plan shall be submitted within three months of approval by Council and implemented within one year of the issuance of the building permit (dry landscaping is recommended);
- d) that the interior layout as shown on Plan #2 - Floor Plan - is not subject to the requirements of development control;
- e) that prior to the issuance of the building permit grading and servicing plans shall be submitted to the City for the approval of the Commissioner of Works;
- f) that any connection of storm drainage to the combined sewer in Princess Street shall be subject to the approval of the City;
- g) that a new water service shall be supplied to the satisfaction of the Public Utilities Commission;
- h) that electric supply shall be by 120/208V three phase underground supply from the existing bus on Princess Street and the existing service duct shall be extended at the owner's cost and the owner shall also bear the cost of all cable beyond ten feet from the streetline;
- i) that all exterior air conditioning or mechanical units shall be screened in a manner which is acceptable to the City;
- j) that the design and location of all exterior lighting shall be submitted to the City for its approval;
- k) that all garbage shall be stored in a suitable interior storage area between pick-up days.

- and -

WHEREAS, after consideration, the Planning Board is of the opinion that the proposed building is not compatible with the surrounding area and that it is not desirable to have a one-storey, set-back building in this area of the City;

THEREFORE BE IT RESOLVED that the application for Development Control approval made by Duyan Investments Limited with respect to a retail/commercial building located at 386-388 Princess Street, NOT be approved.

WITHDRAWN

5. That, as recommended by the Committee of Adjustment the following resolution of the County of Peterborough be endorsed:

"WHEREAS the Planning Act R.S.O. 1970 Chapter 349, Section 42 (6) provides that the Tariffs and Fees payable in respect of applications for Severance made to a Committee of Adjustment/Land Division Committee shall not be more than \$50.00; and

REPORTS (cont'd)

Report No. 41 - City of Kingston Planning Board (Cont'd)

5. (Cont'd)

WHEREAS the costs incurred by the said Committee in considering each application far exceeds this maximum tariff; and

WHEREAS the general taxpayer is obligated to pay for any deficit incurred by the said Committee; and

WHEREAS the applicant is the beneficiary of any profit or gain that may be gained due to the severance;

NOW THEREFORE be it resolved, that the Government of Ontario be requested to amend The Planning Act R.S.O. 1970, Chapter 349, Section 42(6) to permit a Committee of Adjustment/Land Division Committee to charge a fee that is related to the charges incurred by the said Committee."

CARRIED 13:2

(Ald. Bishop & Ald. Clements Opposed)

Respectfully submitted,

(Signed) Grant Timmins (Chairman)
Ken Keyes
John Clements
W. Knapp
Lois E. Miller

* * *

Ald. Matthews presented Report No. 42 of the Public Works Committee as follows:

Moved by Ald. Matthews,
Seconded by Ald. Lampropoulos,

That Report No. 42 of the Public Works Committee be received and adopted clause by clause.

Report No.42

April 2, 1979

Ald. Tarnowewky returned at 10:03 p.m.

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

REPORTS (Cont'd)

Report No. 42 - Public Works Committee

1. That the account of S.M.I. for the overhauling and balancing of 5 snowblower augers at a cost of \$5036.76 including sales tax on materials, be paid and the expenditure charged to Equipment Account 277-2.

Note S.M.I. is the only Company that can repair these augers. 5 new augers would have cost \$7500.00.

CARRIED

2. That the quotation of KIMCO Ltd of \$5.00 per ton for scrap metallic wastes to be collected during Spring Clean-up, be accepted being the only quotation received.

CARRIED

Respectfully submitted,

(Signed) K. Matthews (Chairman)
A. Lampropoulous
Bill Bishop
J. Hawkins
Neil McArthur

Ald. Gerretsen presented Report No. 43 of the Finance & Accounts Committee as follows:

Council consented to the names of Ald. "Tarnowecky" and Ald. "Clements" be added to Clause 16 as the mover and the seconder.

Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Report No. 43 of the Finance & Accounts Committee be received and adopted clause by clause.

REPORT NO. 43

To the Mayor and Aldermen:

April 5, 1979

The Finance and Accounts Committee reports and recommends as follows:

1. That the action of the Mayor and City Treasurer in accepting the tenders of the Bank of Montreal and the Canadian Imperial Bank of Commerce for the sale of \$1,000,000 (2 X \$500,000.) City of Kingston Treasury Notes at a price of \$99.074 per \$100.00. (Interest cost 11.00%), dated March 23, 1979 and maturing April 23, 1979, (31 days) be ratified, confirmed and approved.

REPORTS (Cont'd)

Report No. 43 - Finance & Accounts Committee

1 (Cont'd)

(Note: Other tenders received as follows:

	<u>PRICE</u>	<u>APPROX. INTEREST COST</u>
Bank of Nova Scotia	\$99.062	11.15%
Toronto-Dominion Bank	99.055	11.23%
Nesbitt, Thomson	99.028	11.56%
Richardson Securities	99.064	11.125%
Wood Gundy	99.062	11.15%
Mead & Company	99.069	11.07%
Walwyn, Stodgell	99.058	11.20%
Midland, Doherty	99.062	11.15%
Royal Bank of Canada	99.070	11.05%.)

CARRIED

2. A. That the service contract with Mills Office Suppliers Limited for the 1500 system, 675 copier, Serial #483507, 369 offset, Serial #228, and 167 Converter, Serial #587002 in the amount of \$1,395.00 for the period January 1st 1979 to July 1st 1979 be approved. (\$2,790 per year).

(Note: This does not include the collator. 1978 Rate - 12 months - \$2,450.)

- B. That the service contract with Mills Office Suppliers Limited for the A.B. Dick 360 CD Offset, SN58852 in the amount of \$520.00 for the period January 1st, 1979 to July 1st, 1979 be approved. (\$1,040 per year).

(Note: 1978 Rate was \$936.00. Collator Portion of Automatic Printing System for 1978 - \$516.00).

Ald. Clements left at 10:06 p.m.
and returned at 10:15 p.m.

CARRIED

3. That the Mayor and City Officials initiate discussions with major department stores concerning the possibility of locating new development in the Downtown Core of the City of Kingston.

CARRIED 12:3

(Ald. Timmins, Ald. Matthews & Ald. Hawkins opposed)

4. That the following rates of pay be approved for summer students involved in recreational functions for the year 1979:

Day Camp Program

Supervisor	\$140.00 per week
Camp Craft Specialist	100.00 " "
Counsellors	95.00 " "
Counsellors-in-Training	-
Canoe/Safety Instructor	100.00 " "

REPORTS (Cont'd)

Report No. 43 - Finance & Accounts Committee

4. (Cont'd)

Parks Activities Program

Supervisor	\$135.00 per week
Special Event Co-Ordinator	125.00 " "
Mobile Staff	105.00 " "
Leaders I	85.00 " "
Leaders II	85.00 " "
Junior Leaders	55.00 " "

Tots N' Tykes Program

Supervisor	\$135.00 per week
Leaders I	105.00 " "
Leaders II	85.00 " "

Waterfront Program

Acquatic Supervisor	\$ 3.75 per hour
Lifeguards	3.45 " "

Artillery Park Program

Lifeguards	3.45 per hour
Instructors	3.90 " "

Tennis Program

Tennis Instructor	7.00 per hour
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General Summer Student Rate for 1979 - \$3.12 per hour.

This is applicable at:

Lake Ontario Park	- Assistant Camp Attendants
Confederation Basin	- Assistant Dock Attendants
Portsmouth Olympic Harbour	- Assistant Dock Attendants
Golf Course	- Canteen Attendants
	- Starter
City Hall	- Tour Guides

Summer Students - Under 18 years of Age

No experience within the framework of the foregoing operations:

Minimum Rate of Pay - \$2.25 per hour which is tempered by past experience outside of the organization.

- Interim grading upward is considered as experience and initiative materializes during the course of this very short work experience.

(Note: There are two pay styles - hourly and weekly - both are governed by the minimum wage and hourly regulations plus skill and experience required.

Most programming people are weekly rated while the people doing physical functions are hourly..

REPORTS (Cont'd)

Report No. 43 - Finance & Accounts Committee

4. (Cont'd)

With regard to the continuity factor regarding these summer rates, each program carries with it a different set of qualifications and skills as well as different responsibilities and working environment.

A copy of the report of Mr. D. Fluhrer, Commissioner of Parks and Recreation setting forth the above rates and providing information with regard to the qualifications

for the positions and the different programs was previously distributed to all members of Council.)

CARRIED

5. That application be made to the Ontario Municipal Board for approval of an Interim Quota relative to the 1979 Capital Budget of the City of Kingston in the amount of \$1,500,000.

CARRIED

6. That By-Law No. 5920, "A By-Law to Provide for the Licensing of Plumbing Contractors and Master Plumbers in the City of Kingston, and for the Repeal of By-Law No. 3222", be amended in Section 27 (i) which reads as follows:

"All work vehicles used by him in the course of business shall have painted on both sides of each such vehicle in letters and figures not less than 0.1 meters in height, clearly legible at a distance of 6.0 meters, the words, "Kingston License No.", followed by the number of the license issued by the City to such contractor; and"

to provide that the letters "Kingston License No." shall be not less than 5.08 centimetres in height and the figures not less than 10.16 centimetres in height.

(See By-Law 8: No. 79-71)

CARRIED

7. That the account of the Senior Citizens Council in the amount of \$9,012.00 being the City of Kingston's contribution for the establishment of a senior citizens centre under the Elderly Persons Centres Act be approved for payment.

(Note: Provision for this expenditure was made in the 1979 budget).

CARRIED

REPORTS (Cont'd)

Report No. 43 - Finance & Accounts Committee

8. That the City enter into a renewal lease with Her Majesty the Queen represented by the Minister of Transport for a period commencing the first day of July, 1977, and ending June 30th, 1982 for a certain parcel or tract of land and land covered by the waters of the Public Harbour of Kingston described as follows:

"All and Singular that certain parcel or tract of land and land covered by the waters of the Public Harbour of Kingston, situate, lying and being in front of Farm Lots 22 and 23, Concession 1, formerly Township of Kingston, now in the City of Kingston, County of Frontenac and Province of Ontario, the said land comprising an area of five and one hundred and four thousandths (5.104) acres, more or less, and on the location shown outlined in red on a Plan of Survey, prepared by David T. Humphries, P.L.S., dated March 22, 1972."

upon and subject to all terms, covenants, provisoes, agreements, conditions and reservations contained and reserved in the said Lease.

(Note: The parcel or tract of land and land covered by the waters of the Public Harbour of Kingston is located on the south side of King Street East of the Water Purification Plant and being part of the King Street Breakwater.

The original lease provides for renewals of the lease for a total of 15 years at an annual rental of \$100.)

(See By-Law 9: No. 79-72)

Ald. Timmins left at 10:15 p.m.

CARRIED

9. A. That subject to the approval of the Ministry of Health, the County of Frontenac and the County of Lennox and Addington, the Agreement for the Health Unit be amended to provide for the following membership of the Board:

- "1) One resident of the City of Kingston, one resident of the County of Frontenac and one resident of the County of Lennox and Addington to be appointed by the Lieutenant-Governor in Council;
- 2) Four members appointed by The Corporation of the City of Kingston who may be members of Council;
- 3) Three members appointed by The Corporation of the County of Frontenac who may be members of Council;
- 4) Two members appointed by The Corporation of the County of Lennox and Addington who may be members of Council."

- B. That the agreement between the parties for the Health Unit be amended to provide that the population of the Permanent Married Quarters in the Township of Pittsburgh will now be included in the determination of the population of the County of Frontenac.

(See By-Law 5: No. 79-68)

REPORTS (Cont'd)

Report No. 43 - Finance & Accounts Committee (Cont'd)

10. That the Children's Aid Society of the City of Kingston and County of Frontenac budget for 1979 in the amount of \$1,119,855. (the City's share of which is \$188,090.) be approved.

Ald. Timmins returned at 10:25 p.m.

CARRIED

(Ald. McArthur opposed)

11. That, as requested by the Kingston Bureau of Tourism, the sum of \$10,000. be authorized to be paid to the Kingston Bureau of Tourism as the second quarter payment for 1979 from the City, it being noted that there are sufficient funds in the budget for this purpose.

(Note: The 1979 Budget provides for \$40,000. for this purpose. \$10,000 payment authorized in January, 1979).

CARRIED

12. WHEREAS at the meeting of City Council held on September 25, 1978, approval was given to the mortgage of the leasehold interest from Pesmo Limited to the Federal Business Development Bank in the amount of \$70,000.;

AND WHEREAS there is now need to invest further funds and as a result the City has been requested to approve of a new mortgage in the amount of \$110,000. of the leasehold interest;

THEREFORE BE IT RESOLVED that, as recommended by the City Solicitor, consent be granted to the mortgage of the leasehold interest from Pesmo Limited to the Federal Business Development Bank in the amount of \$110,000., it being understood that the previous mortgage will be discharged upon the execution and registration of the new mortgage.

(Note: Pesmo Limited operate Kingston Tennis World at the Norman Rogers Airport).

CARRIED

13. That, as recommended by the Public Works Committee, in order to stop pedestrain traffic crossing the Toronto-Montreal Main Line railroad tracks, the sum of \$1,400. be provided to erect a 165' long, 6' high chain link fence along the north side of the C.P.R. tracks from the Worthington Park Subdivision fence to the Division Street bridge abutment, and that the C.P.R. be requested to reply to the City Clerk-Comptroller's letter of December 28, 1978, in which they were requested to assume half of the cost of this fence.

- and further -

That the following budget transfer be approved:

	<u>Increase</u>	<u>Decrease</u>
Finance Contingencies	-	\$1,400.
Public Works - Fence Repairs	\$1,400.	-

It being noted that if the City receives the 50% from the C.P.R., it will be credited to revenue.

CARRIED

REPORTS (Cont'd)

Report No. 43 - Finance & Accounts Committee

14. That, as recommended by the Director of Purchasing, Tender No. 79-11, "Utility Work Clothing for Parks and Works Department Personnel" be awarded, in part, in accordance with the following recapitulation:

SECTION A - PARKS DEPARTMENTTo Century Apparel Agency

112 Jackets	\$1,276.30	(including Provincial Sales Tax)
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To Caldwell Industries

240 Trousers	2,162.26	(including Provincial Sales Tax)
110 Coveralls	1,758.44	" " " "
100 Shirts, Short Sleeve	633.44	" " " "
132 Shirts, Long Sleeve	1,081.90	" " " "
	<u>\$6,912.34</u>	

SECTION B - WORKS DEPARTMENTTo Caldwell Industries

162 Jackets	\$1,794.06	(including Provincial Sales Tax)
440 Trousers	4,025.34	" " " "
282 Coveralls	4,281.69	" " " "
252 Shirts, Short Sleeve	1,596.27	" " " "
210 Shirts, Long Sleeve	1,599.86	" " " "
	<u>\$13,297.22</u>	

(Note: Acceptance of this tender is required by April 21st, 1979.)

CARRIED

Ald. Hawkins withdrew at
10:26 p.m. & returned at
10:30 p.m.

(Ald. Hawkins & Ald. Tarnowecy opposed)

15. That, subject to the approval of the City Solicitor, the agreement between Bob Martin Construction Co. Ltd., and the City of Kingston for the purchase of certain lands located north of Bath Road and west of the extension of Queen Mary Road be amended as follows:

- a) To provide that the land to be purchased shall be divided into two parcels as follows:

i) Parcel 1

Part 1 as shown on Reference Plan 13R-3577 together with a right-of-way over Part 2 as shown on said Reference Plan.

ii) Parcel 2

Parts 2, 3 and 4 on Reference Plan 13R-3577.

- b) That the sum of \$200,000. be paid upon demand upon acceptance by Council of the appraisal to be obtained of Parcel 2.
- c) That subject to an appraisal of Parcel 2 to substantiate that it is of sufficient value to receive the indebtedness, the City shall accept a first mortgage on Parcel 2 in the amount

REPORTS (Cont'd)

Report No. 43 - Finance & Accounts

15. c) (Cont'd)

of \$251,000. due February 15th, 1980 with Bob Martin Construction Co. Ltd., to make monthly payments of interest based on the current market rate on this type of property.

d) That upon payment of the \$200,000. for the first parcel and the entering into of the mortgage for the second parcel, the City will provide separate deeds for the two parcels of land.

e) That if the appraisal does not substantiate that the second parcel is of sufficient value to receive the indebtedness then additional security shall be provided by the purchaser in a form satisfactory to the City Solicitor.

(Note: Pursuant to the Agreement, Bob Martin Construction Co. Ltd., has paid \$50,000. of the total purchase price of \$501,000.)

CARRIED AS AMENDED

(See following motions of amendment)

Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That Clause 15 of Report No. 43 be amended to add as Section (e) the following:

"That if the appraisal does not substantiate that the second parcel is of sufficient value to receive the indebtedness, then additional security shall be provided by the purchaser in a form satisfactory to the City Solicitor".

CARRIED

Moved by Ald. Webb,
Seconded by Ald. Gorham,

That Clause 15 (c) of Report No. 43 be amended to delete the words:

"City's borrowing rate"

and substitute the words:

"current market rate on this type of property".

CARRIED

16. Moved by Ald. Tarnowecky,
Seconded by Ald. Clements,

WHEREAS Council, by Clause 7, Report No. 29, 1979, approved plans for an extension of the Bell Canada Exchange Building at Princess and Garrett Streets subject to conditions which included:

"j) that approval shall be subject to the approval of the Committee of Adjustment with respect to minor variances for a reduction in the required number of parking spaces."

AND WHEREAS Council, also, by Clause 2, Report No. 28, 1979, granted permission to Bell Canada to "drain the roof water from the new addition to their building at 450 Princess Street to the existing combined sewer in Princess Street by means of a 6" storm lateral" subject to conditions;

AND WHEREAS the Committee of Adjustment has approved of the minor variance for a reduction in the required number of parking spaces and the last day to appeal this decision is April 12, 1979;

REPORTS (Cont'd)

Report No. 43 - Finance & Accounts Committee (Cont'd)

16. (Cont'd)

AND WHEREAS a report has been received from the Traffic, Streets and Parking Administrator notifying of his belief that the variance to reduce the required number of parking spaces from 29 to 9 is "Major" rather than "Minor" and should not be granted and recommending that the decision of the Committee of Adjustment be appealed by Council:

THEREFORE BE IT RESOLVED THAT the matter of the approval of the plans for an extension of the Bell Canada Exchange Building as approved in Clause 7, Report No. 29, 1979, and Clause 2, Report No. 28, 1979, be RECONSIDERED.

(Note: An affirmative vote of two-thirds of the members of Council who are present at the meeting is required in order to consider Clause 17 which follows).

CARRIED 11:4
(See Recorded Vote)

Ald. Timmins requested a recorded vote on Clause 16, Report No. 43 which was as follows:

YEAS: Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky. (11)

NAYS: Ald. Knapp, Ald. Lampropoulos, Ald. Timmins, Ald. Webb (4).

Ald. Webb withdrew at 11:00 p.m. and returned at 11:01 p.m.

17. That the decision of the Committee of Adjustment of the City of Kingston in approving the application by Bell Canada for minor variance from the zoning by-law to permit a reduction in required parking spaces from 29 to 9 for a new one-storey addition to be built on the west side of the existing building situated on part of John Duff Lot, Lot 24, Concession I, and Part of Lots 4, 5, 6; Lots 7, 10, 11, 12, 13 (including Part of the Laneway), Registered Plan 134, at 450 Princess Street, be appealed to the Ontario Municipal Board.

(Note: Last day for appeal is April 12, 1979).

LOST 7:8
(See Recorded Vote)

Ald. Timmins requested a recorded vote on Clause 17, Report No. 43 which was as follows:

YEAS: Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Hawkins, Ald. Lampropoulos, Ald. Miller, Ald. Tarnowecky (7).

NAYS: Mayor Keyes, Ald. Gerretsen, Ald. Gorham, Ald. Knapp, Ald. Matthews, Ald. McArthur, Ald. Timmins, Ald. Webb. (8)

REPORTS (Cont'd)

Report No. 43 - Finance & Accounts Committee (Cont'd)

Respectfully Submitted,

(Signed)	Ken Keyes	(Chairman)
	J.P. Gerretsen	
	M. Gorham	
	K. Matthews	
	Y. Tarnowecky	
	Grant Timmins	

UNFINISHED BUSINESS

Ald. Webb said that he had become aware of a traffic danger that had not been discussed as yet by the Transportation Committee. When travelling down Johnson Street he had found that cars are making left turns in front of the car in the left hand lane. Signs should be erected to permit left lane turns only.

In response to a question from Ald. Webb, Mayor Keyes said that the dissolving of the committees was to take place approximately three months after the arrival of the Chief Administrative Officer.

Ald. McArthur complimented the Police Department and the Fire Department for their action with regard to four recent cases of arson.

Ald. Webb explained recent developments with regard to the hours of operation for the Gasoline Service Stations. He said that he was concerned at the action taken by the Community Services Committee when the Gasoline Advisory Committee have the responsibility for recommending with regard to the hours of the Gasoline Service Stations. He read from the minutes of the Community Services Committee Meeting in February, 1979 and from recent correspondence with regard to this matter. He said that he was upset that he had been ignored and had not been advised of these developments. A meeting of the Community Services Committee had been arranged to meet with the service stations owners and operators to discuss some problems. He had not been aware of any problems. It is left open to any owner of a service station to approach the Gasoline Advisory Committee for a change in the schedule to permit different hours of operation. He had come to this meeting prepared to resign from the Gasoline Advisory Committee and to consult with the other members to see if they felt the same way. However, as it appeared the Committees would be dissolved in a month's time, and as the Gasoline Advisory Committee have the responsibility for drawing up the schedules of hours for the service stations for the year 1979/80, he would not do so. It would be totally unfair to give this responsibility to the Chief Administrative Officer's Department at this time.

Ald. McArthur said that he did not believe that the Police Department should become discouraged because the courts had ruled in favour of some hotels which had been charged with engaging persons to perform indecent acts and should continue to lay charges.

Ald. Gerretsen explained the action of the Community Services Committee with regard to the hours of operation of gasoline service stations. He said that after the last Community Services Committee meeting, he had received a call from the Secretary explaining that she had received a request from another member of the Committee that a meeting be held and owners and operators of service stations be invited to attend as he had received a complaint.

UNFINISHED BUSINESS (Cont'd)

Ald. Gerretsen said that if a recommendation was made to Council in April with regard to this matter it would still be in time for the summer season. The Gasoline Advisory Committee is an advisory committee to the Community Services Committee and members of this committee have been advised of the meeting.

Ald. Webb withdrew at 11:45 p.m.

Ald. Miller requested that the Planning Board consider, within the next few months, the effects of school closing on the areas involved. She suggested that meetings be held between the planning board and representatives of the two school boards.

Ald. Clark said that he was appalled at what had been done by the Federal Government with regard to the wall at the Women's Prison.

Mayor Keyes explained why this had happened. It was necessary to tear down the entire wall because of its deteriorating condition. The limestone rock would be piled down at the water front of the main prison. He mentioned that the rock was unsuitable for building.

BYLAWS

Council consented to the withdrawal of By-Law No. 1 as Clause 1, Report No. 38 was referred back to the Transportation Committee and to the withdrawal of By-Law No. 3, as Clause 1, Report No. 41, was referred back to Planning Board.

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That By-Laws 2 and 4 to 12 be given their First and Second Readings.

CARRIED

- (B) Moved by Ald. Gorham,
Seconded by Ald. Matthews,

That Rule No. 35 of By-Law No. 1 be Suspended for the Purpose of Giving By-Laws 6 to 12 their Third Reading.

CARRIED

- (C) Moved by Ald. Matthews,
Seconded by Ald. Tarnowecy,

That By-Laws 6 to 15 be given their Third Reading.

CARRIED

- (1) A By-Law to Change the Name of the Highway Known as "Green Drive" in the City of Kingston to "Apps Avenue"

(FIRST & SECOND READINGS)
Clause 1, Report No. 38, 1979

(PROPOSED NO. 79-64)

WITHDRAWN

- (2) A By-Law to Regulate and Control Eating or Drinking Establishments in the City of Kingston.

(FIRST & SECOND READINGS)
Clause 2, Report No. 39, 1979

(PROPOSED NO. 79-65)

BY-LAWS (Cont'd)

- (3) A Holding By-Law to Prohibit the Conversion of Single Family Homes to Duplexes in "A" Zones of By-Law 8499, and to Require that all Additions to one and two Family Homes of More Than 10% in the Size of the Building be Subject to Development Control.

(FIRST & SECOND READINGS) (PROPOSED NO. 79-66)
 Clause 1, Report No. 41, 1979

WITHDRAWN

- (4) A By-Law to Adopt an Official Plan of the City of Kingston Planning Area (Metric Consolidation).

(FIRST & SECOND READINGS) (PROPOSED NO. 79-67)
 Clause 3, Report No. 41, 1979

- (5) A By-Law to Amend By-Law No. 5992, "A By-Law to Authorize the Execution of an Agreement with the Corporation of the County of Frontenac and the Corporation of the County of Lennox and Addington (District Health Unit)". (Increase Membership and Revise Method of Determination of Population of County of Frontenac)

(FIRST & SECOND READINGS) (PROPOSED NO. 79-68)
 Clause 9, Report No. 43, 1979

- (6) A By-Law to Amend By-Law 4489, "A By-Law to Regulate, Supervise and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots. (Increase Monthly Rental Rate on the McKee Municipal Parking Lot from \$15 to \$20.).

(THREE READINGS) (PROPOSED NO. 79-69)
 Clause 2, Report No. 38, 1979

- (7) A By-Law to Amend By-Law No. 21, "A By-Law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber". (Clauses 4, 5 and 6, Report No. 40).

(THREE READINGS) (PROPOSED NO. 79-70)
 Clauses 4, 5 and 6, Report No. 40, 1979

- (8) A By-Law to Amend By-Law No. 5920, "A By-Law to Provide for the Licensing of Plumbing Contractors and Master Plumbers in the City of Kingston, and for the Repeal of By-Law No. 3222".

(Amend Section 27)

(THREE READINGS) (PROPOSED NO. 79-71)
 Clause 6, Report No. 43, 1979

- (9) A By-Law to Amend By-Law No. 7364, "A By-Law to Authorize the Execution of an Agreement with Her Majesty the Queen in Right of Canada, Represented by the Minister of Transport (Lease of 5.104 Acres of Waterlot, in Front of Farm Lots 22 and 23, Concession I, City of Kingston". (Part of King Street Breakwater - Extend Period to June 30, 1982).

(THREE READINGS) (PROPOSED NO. 79-72)
 Clause 8, Report No. 43, 1979

BY-LAWS (Cont'd)

- (10) A By-Law to Levy a Tax of 41.912 Mills on the Dollar Upon the Assessed Value of Residential and Farm Property in the City of Kingston, for the Lawful Purposes of the Frontenac, Lennox and Addington County Roman Catholic Separate School Board, for the year 1979.

(THREE READINGS)

(PROPOSED NO. 79-73)

City Council Meeting No. 15, 1979

- (11) A By-Law to Levy a Tax of 46.567 Mills on the Dollar Upon the Assessed Value of Commercial, Business, Professional, Industrial and Manufacturing Property of the City of Kingston, for the Lawful Purposes of the Frontenac, Lennox and Addington County Roman Catholic Separate School Board, for the year 1979.

(THREE READINGS)

(PROPOSED NO. 79-74)

City Council Meeting No. 15, 1979

- (12) A By-Law to Confirm the Proceedings of Council at Its Meeting Held April 9, 1979.

(THREE READINGS)

(PROPOSED NO. 79-75)

City Council Meeting No. 15, 1979

- (13) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act". (Clause 1, Report No. 31, 1979).

(THIRD READING)

(PROPOSED NO. 79-48)

Clause 1, Report No. 31, 1979

(Note: Ministry of Transportation & Communications Approval Not REQUIRED.)

- (14) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act". (Clauses 2 and 4, Report No. 31, 1979).

(THIRD READING)

(PROPOSED NO. 79-49)

Clauses 2 and 4, Report No. 31, 1979

(Note: Ministry of Transportation & Communications Approval REQUIRED.)

- (15) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulation, Supervision and Control of Such Parking Meters". (Clause 3, Report No. 31, 1979).

(THIRD READING)

(PROPOSED NO. 79-50)

Clause 3, Report No. 31, 1979

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MOTIONS

The following Notices of Motion were received:

- (1) Moved by Ald. Miller,
Seconded by Ald. Clements,

That Council entertain proposals for an outdoor cafe in the garden well of City Hall

REFERRED TO PARKS & RECREATION COMMITTEE

- (2) Moved by Ald. Clark,
Seconded by Ald. Gerretsen,

That Council reconsider the matter of permitting the establishment of a games arcade at Lake Ontario Park.

REFERRED TO PARKS & RECREATION COMMITTEE

- (3) Moved by Ald. Knapp,
Seconded by Ald. Lampropoulos,

That Council do now adjourn.

Council Adjourned at 11:50 p.m. April 9, 1979.

CARRIED

(L.S.)

(Signed) *M.C. Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

MEMORANDUM

TO: The Honorable Secretary of the Army

FROM: Major General [Name]

SUBJECT: [Subject]

1. [Text]

2. [Text]

3. [Text]

4. [Text]

5. [Text]

6. [Text]

7. [Text]

8. [Text]

9. [Text]

10. [Text]

11. [Text]

12. [Text]

13. [Text]

14. [Text]

15. [Text]

16. [Text]

17. [Text]

The Regular Meeting of City Council will be held in the Council Chamber, City Hall, on Monday, April 23, 1979, at 8:00 p.m.

ROLL CALL

TABLING OF DOCUMENTS

- (1) From Throne Riddell & Co., Chartered Accountants, copies of the financial statements of "Rideaucrest" Home for the Aged of the City of Kingston for the fiscal year ended December 31, 1978, together with Auditor's report thereon.

MINUTES

That the Minutes of City Council Meeting No. 15 held on April 9, 1979 be adopted as printed.

COMMUNICATIONS

To be Referred to the Finance and Accounts Committee

- (250) From the Regional Municipality of Niagara requesting that their following resolution be endorsed:

"WHEREAS governments at all levels are experiencing a reduction in their revenue growth; and

WHEREAS this has led to expenditure restraint on many essential programs; and

WHEREAS the Province's involvement in lottery operations continues to increase; and

WHEREAS the revenue from such lotteries has in the main been directed to recreational and cultural programs; and

WHEREAS these types of programs have been termed by both the Treasurer of Ontario and the Ontario Municipal Board as being 'less essential' in capital financing priorities;

THEREFORE the Council of the Regional Municipality of Niagara resolves as follows:

- a) That the Province of Ontario reconsider its policy with regard to the present use of lottery revenues with a view to directing such revenues into programs of higher municipal and provincial priority."*

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COMMUNICATIONS (Cont'd)

To be Referred to the Finance & Accounts Committee

- (251) From the Liquor Licence Board of Ontario notifying of request for permission for an additional licensed club-lounge facilities at:

The Royal Canadian Horse Artillery,
 Brigade Association,
 193 Ontario Street,
 KINGSTON, Ontario
 Licence No. 040005

To be Filed

- (252) From the National Youth Orchestra of Canada thanking the City of Kingston for their grant of \$750.

Which Has Been Referred to the City of Kingston Planning Board and the Transportation Committee

- (253) From Dacon Corporation Limited requesting that the name of Green Drive be changed to Greenview Drive.

To be Filed

- (254) From the Cataraqui Region Conservation Authority, submitting their Financial Statements for the year ended December 31, 1978.

- (255) Copy of the Minutes of the Cataraqui Region Conservation Authority Executive Committee Meeting held on March 28, 1979.

- (256) From the Ministry of the Environment approving By-Law No. 9309, "A By-Law of the Corporation of the City of Kingston to Control Noise". Effective date is March 23, 1979.

- (257) Statement of Revenue and Expenditures for the month of February, 1979, from the Public Utilities Commission of the City of Kingston, Transit Department, showing the following deficits:

	1979 Budget <u>Estimates</u>	1979 to <u>date</u>	Month of February <u>1979</u>	1978 to <u>Date</u>
Operating Deficit:	\$833,443	\$105,273	\$52,359	\$68,465
Debentures:	27,645	4,608	2,304	4,615
Total:	<u>\$861,088</u>	<u>\$109,881</u>	<u>\$54,663</u>	<u>\$73,080</u>

COMMUNICATIONS (Cont'd)

To be Filed

- (258) From the Kingston Area Planning Board notifying that at its next meeting the Board will be having a discussion regarding solid waste management in the Kingston Area. Representatives from the Ministry of the Environment, Tricil Limited and the Works Departments of the City of Kingston and the Township of Kingston will be present to provide information on this subject.

All members of Council are invited to attend this meeting at 7 p.m. on Thursday, April 26 at City Hall, Kingston.

PETITIONS

REPORTS

To the Mayor and Aldermen:

April 11th, 1979.

The Transportation Committee reports and recommends as follows:

1. That the account of Quintal & England Limited, in the amount of \$2,251.86 for roof repair work on Hangar No. 3, Kingston Tennis World, be paid.

NOTE: Funds are available in the 1979 Airport Building Maintenance Account for this purpose.

2. That the request to operate a horse drawn carriage tour service in the City of Kingston for the summer of 1979, from May 24th to the third week in September, be approved; and further, that a reduced half price charge of \$7.20 per week be levied for the carriage service to share the tour train curb space on the east side of Ontario Street across from City Hall.

NOTE: Section 33 of By-law 24 provides curb parking space for this request.

3. That the two accounts of A-1 Glass Company, in the amount of \$508.58 and \$120.00, for supply and installation of replacement glass in the Hanson garage, be paid.

NOTE: Several large glass panels smashed by vandals in the Hanson garage on the weekend of March 3rd and 4th were replaced. Funds are available in the 1979 Transportation Budget.

4. That a by-law be presented to Council to amend By-law 24 (Traffic) to provide that parking be prohibited on the east side of Macdonnell Street between Dundas and Park Streets.

NOTE: Parking is prohibited now between 8:00 a.m. and 4:00 p.m. on school days only.

(See By-Law 1: No. 79-76)

5. That H.M.C.S. Cataragui be permitted to conduct a "Battle of the Atlantic" parade on Sunday, May 6th, 1979, commencing at 10:00 a.m.

NOTE: The parade will commence at the Kingston Armouries, proceed south on Montreal St., east on Princess Street, south on Ontario St. to Confederation Park, and return.

6. That application be made to the Canadian Transport Commission for a crossing of the railway to permit the extension of Orchard Street to Rideau Street, at the expense of the developer.

7. That a by-law be presented to amend By-law 8 (Dog Control), section 16(a), to provide a penalty for cats at large consistent with the penalty for dogs at large.

NOTE: By-law 8 prohibits cats at large but no penalty clause exists in the by-law for cats.

(SEE By-Law 2: No. 79-77)

8. That NO ACTION be taken on the request by some owners of older dogs that the licence fee for unneutered dogs past the age of reproduction be reduced to the fee applicable to neutered dogs, on submission of a letter from a veterinarian attesting to that fact.

NOTE: This is a minority report submitted on the request of Alderman Webb.

9. That a by-law be presented to amend By-law 24 (Traffic) By-law 495 (Parking Meters) and By-law 4489 (Parking Lots) to provide that 28 parking meters on Princess Street between Macdonnell and Tower Streets be relocated into the expanded Gorsline parking lot; and that parking be prohibited on Princess Street between Macdonnell and Tower Sts., to be effective from the opening date of the expanded Gorsline parking lot.

NOTE: The opening date of the expanded Gorsline parking lot is anticipated to be July 1979 and will have a total capacity of 170 spaces.

(See By-Laws 3, 4 and 5: No. 79-78, 79-79 and 79-80)

10. That the name "Green Drive" be changed to "Greenview Drive".

NOTE: Subsequent to a previous request to change the name to "Apps Avenue", Dacon Corporation Limited requested that the name be changed to "Greenview Drive". The request was made originally to alleviate confusion resulting from a duplication of names in areas served by the Kingston Post Office. Area Planning Board confirms that the proposed name meets with their approval.

(See By-Law 6: No. 79-81)

1. The American Medical Association is a national organization of medical practitioners, organized for the purpose of promoting the science and art of medicine, and for the betterment of the human race.

2. The American Medical Association is a non-profit-making organization, and its funds are derived from the contributions of its members.

3. The American Medical Association is a body corporate, and its officers and members are subject to the laws of the United States.

4. The American Medical Association is a body corporate, and its officers and members are subject to the laws of the United States.

5. The American Medical Association is a body corporate, and its officers and members are subject to the laws of the United States.

6. The American Medical Association is a body corporate, and its officers and members are subject to the laws of the United States.

7. The American Medical Association is a body corporate, and its officers and members are subject to the laws of the United States.

8. The American Medical Association is a body corporate, and its officers and members are subject to the laws of the United States.

9. The American Medical Association is a body corporate, and its officers and members are subject to the laws of the United States.

10. The American Medical Association is a body corporate, and its officers and members are subject to the laws of the United States.

11. The American Medical Association is a body corporate, and its officers and members are subject to the laws of the United States.

11. That the Girl Guides of Canada be permitted to place a cardboard replica of the Girl Guide symbol at various entrances to Kingston (i.e., 401 & Division, Highways 2 and 15, etc.) and a welcome banner near the University to welcome the delegates to the Annual Provincial Meeting for Girl Guide Leaders, to be held May 4th, 5th and 6th, 1979.

(See By-Law 12: No. 79-86)

Respectfully submitted,

Chairman.

April 12, 1979

To the Mayor and Aldermen:

The Community Services Committee reports and recommends as follows:

1. That By-Law No. 1998, 'A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours', be amended to provide that:
 - a) gasoline service stations may remain open 24 hours per day, 7 days per week, during the period June 1 to September 30, providing a permit has been obtained;
 - b) gasoline service stations may remain open from 7 a.m. to 10 p.m. on Sundays and 5 a.m. to 10 p.m. on weekdays during the period June 1 to September 30 each year, providing a permit has been obtained;
 - c) gasoline service stations may, alternatively, elect to maintain the presently permitted hours of 5 a.m. to 7 p.m. weekdays.
 - d) it is understood that applications for permits must be made by May 1st each year by owners, operators or managers of stations.

(See By-Law 7: No. 79-82)
2. That By-Law No. 79-26, 'A By-law to Prohibit Smoking in Public Places in the City of Kingston' be presented to Council for second reading.

(Note: A copy of the proposed by-law is attached hereto as Schedule 'A').

(See By-Law 11: No. 79-26)
3. WHEREAS, in order to be able to participate fully in the life of our community, handicapped and elderly persons may have certain needs which require the attention of the City of Kingston; and

WHEREAS the Advisory Committee to Kingston City Council on the Needs of the Handicapped and Elderly has and continues to identify, discuss, investigate and make recommendations regarding the needs of the handicapped and elderly persons of Kingston;

THEREFORE BE IT RESOLVED THAT :

- a) the City of Kingston provide operational support and assistance to the Advisory Committee;
- b) the City of Kingston and all of its departments co-operate with the Advisory Council in its work;
- c) that one or more members of Council of the City of Kingston be appointed to the Advisory Council to serve as a liaison between City Council and the Advisory Council.

Respectfully submitted,

CHAIRMAN

BY-LAW NO. 79-26

A BY-LAW RESPECTING SMOKING IN THE CITY OF KINGSTON

PASSED:

WHEREAS it has been determined that second-hand tobacco smoke (exhaled smoke and the smoke from idling cigarettes, cigars, and pipes) is a health hazard or discomfort for many inhabitants of the City of Kingston, and

WHEREAS it is desirable for the health, safety, and welfare of the inhabitants of the City of Kingston, to prohibit or regulate smoking, or both, in the City of Kingston, as in this by-law more particularly set out.

THEREFORE the Council of The Corporation of the City of Kingston enacts as follows:

1. In this by-law,
 - (a) "City" means the City of Kingston;
 - (b) "Retail shop" means a building or part of a building booth, stall or place where goods are exposed or offered for sale by retail, but does not include a place where the only trade or business carried on is that of a licensed hotel or tavern, victualling house or refreshment house, nor a place where the only trade or business carried on is that of the custom blending of tobaccos, or sale of tobaccos, pipes, cigars or smokers' sundries;
 - (c) "service line" means an indoor line of two (2) or more persons awaiting service of any kind, regardless of whether or not such service involves the exchange of money, including but not limited to, sales, provision of information, transactions or advice and transfers of money or goods; and
 - (d) "smoke" or "smoking" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;
 - (e) "proprietor" means the person who ultimately controls, governs or directs the activity carried on within the kinds of premises referred to in this by-law and includes the person actually in charge thereof;
 - (f) "reception area" means the public space used by an office or establishment for the receiving or greeting of customers, clients or other persons dealing with such office or establishment

RETAIL SHOPS

2. No person shall smoke in any retail shop except in a part thereof used as a restaurant, lunch counter, hairdressing parlour, barber shop, rest room or a part used as offices by members of the staff.

3. The proprietor of every retail shop shall ensure that a sufficient number of signs as prescribed by section 43 hereof or otherwise by this by-law permitted, shall be prominently displayed so as to be clearly visible from all parts of each floor to which section 2 applies.

4. (i) The proprietor of any retail shop, shall make reasonable efforts to prevent smoking in violation of this by-law and shall, without limiting the generality of the foregoing,

(a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance;

(b) instruct employees who observe any person in the retail shop smoking in violation of this by-law, to request such person to stop smoking at once, to refuse to serve such person if that person continues to smoke, and finally, if such person refuses to stop smoking, to report such refusal to the proprietor upon the premises.

(ii) When a proprietor upon the premises observes a contravention of section 2 or receives the report referred to in paragraph (b) of subsection (i) of this section, he shall request such person to stop smoking at once, shall refuse to serve such person if that person continues to smoke and finally, if such person refuses to stop smoking, shall require such person to leave the premises.

5. Any proprietor who fails or neglects to perform any of the duties imposed by section 3 and 4 hereof shall be guilty of an offence, and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge

or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

HOSPITALS

6. (i) Subject to section 9, no person shall smoke in any patient care area in a hospital.

(ii) Subject to section 7, no person shall smoke in any area of a hospital (other than a patient care area) to which members of the public have access.

7. Smoking areas may be designated by the proprietor in the area referred to in subsection (ii) of section 6 hereof (exclusive of places in which smoking is prohibited by the Fire Marshal or by other law, by-law or regulation) provided not more than 50 per centum of the floor area of the area so referred to shall be so designated.

8. The proprietor shall ensure that signs designating areas as smoking or non-smoking where such signs are required or permitted by this by-law, shall be sufficiently and conspicuously posted so as to apply clearly to the areas so designated and in the case of signs indicating "no smoking" that such be in the form prescribed by section 43 or otherwise as permitted by this by-law.

9. (i) Notwithstanding the provisions of section 6 hereof, a patient may be permitted to smoke with written permission of the personal physician of such patient.

(ii) Where permission is granted under subsection (i) hereof, any patient who may be affected as a result thereof, may request non-smoking accommodation and upon such request shall be provided with such accommodation.

10. (i) The proprietor of any hospital shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing,

- (a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance;
- (b) instruct employees who observe any person in the hospital smoking in violation of this by-law, to request such person to stop smoking at once, and if such person continues to smoke, to arrange, if such person is a patient and capable of being moved, through the proprietor for such person to be so moved to a designated smoking area or to request, if such person is not a patient, such person to leave the premises forthwith and, if such person refuses to comply with the request, to report such refusal to the proprietor upon the premises.

(ii) When a proprietor upon the premises observes a contravention of section 6 of this by-law, or receives the report referred to in paragraph (b) of subsection (i) of this section he shall request such person to stop smoking at once, and if such person continues to smoke, shall arrange (if such person is a patient and capable of being moved) for such person to be moved to a designated smoking area or (if such person is not a patient) require such person to leave the premises forthwith.

11. A proprietor who fails or neglects to perform any of the duties imposed by sections 8 and 10 hereof, shall be guilty of an offence, and shall upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

BANKS, FINANCIAL INSTITUTIONS AND MUNICIPAL OFFICES

12. No person shall smoke at any service counter in a bank, financial institution or municipal office.

13. In every bank, financial institution and municipal office referred to in section 12 hereof, the proprietor shall ensure that a sufficient number of signs as prescribed by section 43 hereof or otherwise permitted by this by-law, shall be conspicuously posted so as to refer clearly to the service counter referred to in section 12 hereof.

14. (i) The proprietor of any bank, financial institution or municipal office shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing,

- (a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance;
- (b) instruct all employees who observe any person on the premises smoking in violation of this by-law, to request such person to stop smoking at once, to refuse to serve such person if such person continues to smoke and, finally, if such person refuses to comply with the request, to report such refusal to the proprietor upon the premises.

(ii) The proprietor upon the premises who observes any person contravening section 12 of this by-law, or who receives the report referred to in paragraph (b) of subsection (i) of this section, shall request such person to stop smoking at once, shall refuse to serve such person if such person continues to smoke and, finally, if such person continues to smoke thereafter, shall require such person to leave the premises.

15. Any proprietor who fails or neglects to perform any of the duties imposed by section 13 and 14 hereof shall be guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

RECEPTION AREAS

16. No person shall smoke in any reception area in an establishment or an office.

17. Smoking areas in reception areas of establishments or offices (except for reception areas of offices where services relating to health care are performed) may be designated by the proprietor provided that areas so designated may not exceed more than 50 per centum of the reception floor area.

18. The proprietor of an establishment or office to which section 16 applies shall ensure that signs designating areas as smoking or non-smoking where required or permitted by this by-law shall be sufficiently, and conspicuously posted so as to apply clearly to the areas so designated and in the case of signs indicating "no smoking" that such be in the form prescribed by section 43 or otherwise as permitted by this by-law.

19. (i) The proprietor referred to in section 18 shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing,

(a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance.

(b) instruct all employees who observe any person in the reception area smoking in violation of this by-law, to request such person to stop smoking at once, to refuse to serve such person if such person continues to smoke, and, finally, if such person refuses to stop smoking to report such refusal to the proprietor upon the premises.

(ii) When a proprietor upon the premises observes the report referred to in paragraph (b) of subsection (i) of this section, he shall request such person to stop smoking at once, shall refuse to serve such person if such person con-

tinues to smoke and, finally, if such person refuses to stop smoking shall require such person to leave the premises.

20. Any proprietor who fails or neglects to perform any of the duties imposed by sections 18 and 19 hereof, shall be guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

ELEVATORS AND ESCALATORS

21. (i) Subject to subsection (ii), no person shall smoke in an elevator or on an escalator in any building or part thereof.

(ii) Subsection (i) does not apply to elevators, escalators or similar devices to which The Elevators and Lifts Act, R.S.O. 1970, Chapter 143, as amended from time to time does not apply:

22. The proprietor of any building or part thereof to which section 21 applies shall ensure that a sufficient number of signs as prescribed by section 43 hereof or otherwise permitted by this by-law shall be sufficiently and conspicuously posted so as to apply clearly to the areas regulated by the said section.

23, (i) The proprietor referred to in section 22 shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing,

- (a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law to assist the proprietor in achieving compliance;
- (b) instruct employees who observe any person smoking in violation of section 21 to request such person to stop smoking at once,

and if such person continues to smoke thereafter to report such refusal to the proprietor upon the premises;

(ii) When a proprietor upon the premises observes a contravention of section 21 or receives the report referred to in paragraph (a) of subsection (i) of this section, he shall request such person to stop smoking at once and should such person refuse to stop smoking, require such person to leave the premises.

24. Any proprietor who fails or neglects to perform any of the duties imposed by section 22 and 23 hereof shall be guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

SERVICE LINE

25. No person shall smoke in any service line on any premises.

26. The proprietor of any premises to which section 25 applies shall ensure that a sufficient number of signs as prescribed by section 43 hereof or otherwise permitted by this by-law shall be prominently displayed so as to be clearly visible to persons in the service line.

27. (i) The proprietor referred to in section 25 hereof shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing,

- (a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance.
- (b) instruct all employees who observe any person on the premises smoking in violation of this by-law, to request such person to stop smoking at once, to refuse to serve

such person if such person continues to smoke and, finally, if such person refuses to comply with the request, to report such refusal to the proprietor upon the premises.

(ii) The proprietor upon the premises who observes any person contravening section 25 of this by-law, or who receives the report referred to in paragraph (b) of subsection (i) of this section, shall request such person to stop smoking at once, shall refuse to serve such person if such person continues to smoke and, finally, if such person continues to smoke thereafter, to require such person to leave the premises.

28. Any proprietor who fails or neglects to perform any of the duties imposed by sections 26 and 27 hereof, shall be guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

SCHOOL BUSES

29. (i) No person shall smoke in a school bus.

(ii) "School Bus" means any vehicle used for transporting children.

30. In every school bus, the proprietor shall ensure that a sufficient number of signs as prescribed by section 43 hereof or otherwise permitted by this by-law, shall be prominently displayed so as to be clearly visible from all parts of the school bus.

31. (i) The proprietor of a school bus shall make reasonable efforts to prevent smoking therein and shall without limiting the generality of the foregoing

- (a) take all reasonable steps to ensure employees are familiar with the provisions of this by-law in order to achieve compliance;
- (b) instruct drivers who observe any person smoking in a school bus to require such person to stop smoking at once.

(ii) Nothing in subsection (i) hereof relieves the driver of a school bus of his duties as proprietor under subsection (iii) hereof where such driver falls within the definition of proprietor under this by-law.

(iii) A proprietor on the school bus who observes any person smoking shall require such person to stop smoking at once.

32. Any proprietor who fails or neglects to perform any of the duties imposed by sections 30 and 31 hereof shall be guilty of an offence and shall upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

RESTAURANTS

33. (i) "No Smoking" areas may be designated by the proprietor of a restaurant in areas exclusive of those in which smoking is already prohibited by Order of the Fire Marshal or by other Act, order, regulation or by-law.

(ii) When a proprietor designates a "no smoking area" under subsection (i), he shall

- (a) post signs which designate the "no smoking" area in a conspicuous location in the area so designated, and,
- (b) arrange seating to provide a smoke-free area.

34. No person shall smoke in an area designated as "No Smoking" pursuant to section 33 hereof.

35. (i) The proprietor of any restaurant which provides a "no smoking" area shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing

(a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance;

(b) instruct employees who observe any person contravening section 34 to request such person to stop smoking at once, to refuse to serve such person if that person continues to smoke and, finally, if such person refused to stop smoking to report such refusal to the proprietor upon the premises.

(ii) When a proprietor upon the premises observes any person contravening section 34 or receives the report referred to in paragraph (b) of subsection (i) of this section, he shall request such person to stop smoking at once, shall refuse to serve such person if such person continues to smoke and, finally, if such person refuses to stop smoking shall require such person to leave the premises.

36. Every proprietor of a restaurant shall post a sign visible from the outside of the restaurant indicating whether or not the restaurant provides a "no smoking" area.

37. Any proprietor who fails or neglects to perform any of the duties imposed by subsection (ii) of Section 33, section 35 and section 36 hereof, shall be guilty of an offence and shall upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

THEATRES AND OTHER PLACES OF PUBLIC ASSEMBLY

38. Subject to section 39, no person shall smoke in any enclosed indoor area being used as a place of public assembly.

39. (i) The proprietor of a place of assembly referred to in section 38 may designate an area not to exceed 50 percentum of the total floor area of such place of assembly as a smoking area and where so designated such area shall bear the sign "Smoking in this area only".

(ii) Where an area has been designated in accordance with subsection (i), smoking shall be permitted in such area.

40. The proprietor of premises to which sections 38 and 39 apply shall ensure that a sufficient number of signs as prescribed in section 43 hereof or otherwise permitted by this by-law shall be prominently displayed so as to be clearly visible from all parts of each floor to which such sections apply.

41. (i) The proprietor of a place of public assembly shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing

(a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance;

(b) instruct employees who observe any person contravening this by-law to request such person to stop smoking at once, to refuse to serve (if applicable) such person if that person continues to smoke and, finally, if such person refuses to stop smoking to report such refusal to the proprietor upon the premises.

(ii) When a proprietor upon the premises observes any person contravening this by-law or receives the report referred to in paragraph (b) of subsection (i) of this section, he shall request such person to stop smoking at once, shall refuse to serve (if applicable) such person if that person continues to

smoke and, finally, if such person refuses to stop smoking shall require such person to leave the premises.

42. Any proprietor who fails or neglects to perform any of the duties imposed upon by sections 39, 40 and 41 shall be guilty of an offence and shall upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

SIGNS

43. (i) For the purpose of subsection (ii) hereof the letter height means the actual height of the letter regardless of whether it is a capital or lower case later.

(ii) Where by a section of this by-law, a sign is to be in accordance with this section, such sign shall:

- (a) carry the text "No Smoking" in capital or lower case letter, or a combination thereof,
- (b) consist of two (2) contrasting colours, or if the lettering is to be applied directly to a surface or to be mounted on a clear panel, the lettering shall contrast to the background colour
- (c) with respect to size of lettering, be not less than the following height
 - (1) ten (10') feet or less - letter height of one (1") inch,
 - (2) twenty (20') feet or less - letter height of two (2") inches,
 - (3) forty (40') feet or less - letter height of three (3") inches,
 - (4) eighty (80') feet or less - letter height of four (4") inches,
 - (5) one hundred and sixty (160') feet or less - letter height of six (6") inches, and
 - (6) two hundred and forty (240') Feet or less - letter height of eight (8") inches,
- (d) include in the text at the bottom of each sign "City of Kingston By-Law No. 79-26 Maximum Penalty \$1,000.00" in letters not less than one-half ($\frac{1}{2}$) of an inch in height for signs with letter size of one (1") inch, and not less than one-quarter ($\frac{1}{4}$) of the height of the letters on all other sizes of signs.

44. (i) Notwithstanding the provisions of Section 43 hereof, one of the following graphic symbols may be used to indicate "no smoking areas". Each symbol shall include the text "City of Kingston By-Law No. 79-26, Maximum Penalty \$1,000.00" in letters and figures at least 5 percentum of the diameter of the circle in the symbol and there may be added appropriate symbols such as directional arrows. Any such symbol shall be on a white background with the circle and the interdictory stroke in red, with a cigarette, letters and figures in black, provided such symbol complies with the other provisions of this section.

(ii) With respect to size of the graphic symbol, the diameter of the circle in the symbol referred to in subsection (i) hereof shall be not less than the number of inches prescribed below, based upon the maximum viewing distance in direct line of sight, as follows:

- (a) ten (10') feet or less - four (4") inches,
- (b) twenty (20') feet or less - six (6") inches,
- (c) forty (40') feet or less - eight (8") inches,
- (d) eighty (80') feet or less - twelve (12") inches,
- (e) one hundred and sixty (160') feet or less - sixteen (16") inches,
- (f) two hundred and forty (240') feet or less - twenty-four (24") inches,

(iii) Notwithstanding that the symbol in subsection (i) is a cigarette, it shall include a lighted cigar, cigarette, pipe or any other lighted smoking equipment.

PENALTY

45. Any person who smokes in contravention of this By-Law is guilty of an offence and shall upon conviction thereof, forfeit

and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

EFFECTIVE DATE

46. This by-law shall come into force on

CITY CLERK

MAYOR

April 17, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS Planning Board has received and reviewed a report which analyzes Kingston's Industrial Park (Specific Area No. 12); and

WHEREAS this report recommends the establishment of a new consolidated industrial zone which would generally permit all types of industries and associated uses and include uniform building standards; and

WHEREAS this proposed zone would emphasize the use of the Environmental Protection Act and the Development Control process as a principal means of regulating new industrial development; and

WHEREAS the City has purchased approximately 68 hectares of land north of Counter Street for the purpose of accommodating industrial development; and

WHEREAS a portion of this acquired area south of the C.N.R. tracks is designated Residential and Recreation, Parks and Open Spaces in the Official Plan; and

WHEREAS in view of the City's decision to no longer support channelization of the Little Cataraqui Creek, and in order to assure that the City's policies complement the Conservation Authority's fill regulations, it is considered appropriate to designate as Hazard Lands the flood prone lands of the Little Cataraqui Creek valley lying between Counter Street and Dalton Avenue;

THEREFORE BE IT RESOLVED that:

1. The Official Plan be amended so as to:
 - (a) Redesignate the Residential lands north of Counter Street as Industrial and include these lands in Specific Area No. 12 (Industrial Park),
 - (b) Designate the flood prone lands north of Counter Street as Hazard Lands and delete this area from Specific Area No. 12 (Industrial Park),
 - (c) Delete the Official Plan policies which suggest that the City will consider channelization of the Little Cataraqui Creek north of Counter Street;
 - (d) Introduce a policy authorizing the Committee of Adjustment to grant minor variances from the Zoning By-Law allowing uses which are similar to the listed permitted uses.



1. (Cont'd)

2. Zoning By-Law No. 8499 be amended as follows:

- (a) By adding as Section 31A the following:

"Section 31A: General Provisions for the Industrial Zone "M"

31A.2 Subject to compliance with the provisions of Section 5, the following provisions shall apply in M zones:

- (a) farms,
- (b) market gardens, horticultural nurseries or greenhouses if no retail stands or commercial structures are maintained in connection therewith,
- (c) any manufacturing, compounding, processing, treating, assembling, repairing and packaging establishment which is not obnoxious by reason of the emission of contaminants as defined in the Environmental Protection Act 1971 or its legal successor, and which has obtained a certificate of approval as required under the Act,
- (d) distributing plants, trucking or freighting terminals, wholesale businesses, storage yards, storage buildings and warehouses,
- (e) laboratories,
- (f) laundries and cleaners,
- (g) animal hospitals, kennels and shelters,
- (h) a watchman's quarters,
- (i) accessory buildings to any use permitted in M zone,
- (j) accessory uses which are clearly subordinate to a use permitted in the M zone

31A.3 The following regulations shall apply to lands, buildings, or structures erected in M zones:

- | | |
|------------------------|--------------------|
| (a) Maximum height | 13.5m |
| (b) Minimum front yard | 15m |
| (c) Minimum side yard | 7.5m |
| (d) Minimum rear yard | 7.5m |
| (e) Minimum lot area | 2200m ² |
| (f) Minimum lot width | 36.5m |
| (g) Minimum lot depth | 60m |

1. (Cont'd)

2. (a) (Cont'd)

(h) Minimum lot coverage 60m

(i) for those uses listed in Section 31A.2(d), and similar uses, and similar uses, a minimum of 20% of the total lot area must be covered by buildings and/or a hard surface material such as concrete or asphalt.

(ii) for all other uses the Minimum Lot coverage shall be 20%.

(i) Off-street parking,

(j) Loading facilities,

(k) Any permitted yard used for storage shall be screened by a hedge, a brick or stone wall or painted fence not less than 1.8m in height so that the contents of that storage area will not be visible from any public roadway."

(b) By amending Zoning Maps No. 1, 2, 3, 8 9 and 10 so as to zone the area located north of Counter Street and east of Division Street M, M.94, M.96 and FP as shown on Schedules A, B, C, D, E, and F,

(c) By deleting Sections 94 and 96 in their entirety and replacing them with the following:

"94. On the approximately 0.8 ha parcel of land located on the south side of Dalton Avenue and designated M.94 on a copy of Zoning Map No. 2 attached to and forming part of By-Law No. as Schedule 'B', an automatic weigh scale with a front yard of 3m shall be a permitted use."

"96. On the approximately 12.34 ha parcel of land located on the north side of Counter Street west of Lappan's Lane and designated M.96 on a copy of Zoning Map No. 9 attached to and forming part of By-Law No. as Schedule 'E', the following uses shall also be permitted:

i. Reconditioning and selling of used machinery;

ii. Scrap ferrous and non-ferrous metal storage and processing.

The area to be used for scrap ferrous and non-ferrous metal outside storage shall be restricted to an area on the subject property north of a line 58m from Counter Street to be adequately screened with said screening to be satisfactory to the City. "

(d) By deleting Sections 87, 88, 89, 90, 93, 95 and 105 in their entirety.

(See By-Laws 8 and 9: No. 79-83 and 79-84)

2. That the following plans, submitted by Bob Martin Construction Limited, for two apartment buildings located on the west Side of Queen Mary Road, north of Bath Road:

Plan #1 - Site Plan - Scale: 1"-40' - Revised December, 1978

Plan #LS1 - Landscaping - Scale: 1"-40' - January 1979

Plan #3 - Ground Floor Plan - Building 'A' - Scale 1/8" - 1' - Nov. 30, 1978

Plan #4 - Typical Floor Plan - Building 'A' - Scale 1/8"-1' - Nov. 30, 1978

Plan #6 - Ground Floor Plan - Building 'B' - Scale 1/8"-1' - Nov. 30, 1978

Plan #7 - Typical Floor Plan - Building 'B' - Scale 1/8"-1' - Nov. 30, 1978

Plan #9 - East & West Elevations - Bldg. 'A' - Scale 1/8"-1' - Nov. 30, 1978

Plan #10 - South Elevation - Building 'B' - Scale 1/8"-1' - Nov. 30, 1978

Plan #11 - Elevations & Cross Sections - Bldgs. 'A' & 'B' - Nov., 1978

be approved, subject to the owner entering into a development control agreement which shall include the following conditions:

- (a) that development shall be in accordance with the above listed plans;
- (b) that all parking areas and vehicular access routes shall be paved;
- (c) that the landscaping plan for the site associated with the most southerly building shall be implemented within one year of the issuance of the building permit; and that the landscaping plan for the site associated with the most northerly building shall be implemented within one year of the issuance of the building permit; and that a landscaping plan for the section of City owned land abutting the east boundary of the site shall be prepared by the City, submitted to the Grenville Park Housing Co-operative for approval, implemented by Bob Martin Construction Ltd. and maintained by the City;
- (d) that interior layouts as shown on floor plans 3, 4, 6 and 7 are not subject to the requirements of development control;
- (e) that the owner shall be responsible for construction to City and P.U.C. standards of the following services within Queen Mary Road from a point 180 feet north of Bath Road at the northerly limit of existing pavement, northerly to a point allowing for a connection to the most northerly entrance to the site:
 - (i) curbs, gutters, boulevards and culvert;
 - (ii) street lights;
 - (iii) a sidewalk on the west side of Queen Mary Road;
 - (iv) a 32 ft. wide pavement with a

2. (Cont'd)

(e) Cont'd)

(iv) (Cont'd)

satisfactory transition from the existing 40 feet wide pavement;

(v) a turning circle or T-junction at the northerly end of pavement;

(vi) that the existing barrier located at the northerly end of Queen Mary Road pavement shall be relocated by the owner to a point at the northerly end of the proposed pavement or that a new barrier satisfactory to the City shall be constructed;

(f) that a storm outlet from the new culvert in Queen Mary Road shall be constructed across the site to a ditch outlet on the west side of the site and that an easement in favour of the City shall be provided over the storm outlet;

(g) that adequate on-site provision shall be made for drainage from the east which arrives at the northeast corner of the site;

(h) that sanitary services shall be subject to a connection agreement with the City;

(i) that the owner shall provide a deposit in the amount of 5% of the estimated cost of the City services on Queen Mary Road as extended and of the storm sewer outlet through the site, to provide for municipal inspection and resident supervision, including, without limiting the generality of the foregoing, inspection, testing and field survey, on the understanding that on completion, the actual direct charges for inspection and resident supervision shall be paid to the City from such deposit and any balance remaining shall be refunded to the owner by the City; where the actual direct charges exceed the 5% deposit then the amount by which such actual direct charges exceed such deposit shall be paid to the City forthwith upon receipt of an invoice from the City;

(j) that garbage collection shall be arranged privately unless pick-up locations are provided to the City's satisfaction;

(k) that the owner shall be responsible for the construction to P.U.C. standards of a 12" diameter watermain in Queen Mary Road, from a point 90.2m (296'+) northerly from Bath Road to a point 128m (420'+) northerly from Bath Road;

(l) that a fire protection system to the satisfaction of the P.U.C. and the Fire Chief shall be installed on the site, and shall include a 12" diameter and 8" diam. watermain and 1 or 2 fire hydrants, depending on the capacity of the water supply;

2. (Cont'd)

- (m) that fire department connections for standpipes shall be located at the front entrances on the Queen Mary Road side of the two buildings;
- (n) that access to the rear of the buildings shall be modified to allow fire apparatus to approach closer to the building;
- (o) that fire hydrants in Queen Mary Road as needed will be supplied by the Public Utilities Commission;
- (p) that the electrical supply will be from an underground system to be installed in Queen Mary Road by the Public Utilities Commission to a point 215m+ (705') north of Bath Road, with owner-installed concrete encased ducts from the P.U.C. duct system to transformer locations on the property;
- (q) that transformers shall be installed on the property either in vaults provided within the building or on external transformer pads;
- (r) that any primary cable required on the owner's property in excess of 21.3m (70 feet) or beyond the front wall of the building shall be at the owner's cost;
- (s) that the play lot at the northerly end of the development be separated from the parking area by a visually open fence of not more than 1m (3.3') in height;
- (t) that the design of exterior lighting shall be submitted to the City for approval, and that prior to approval shall be submitted to the Grenville Park Housing Co-operative for its approval;
- (u) that prior to issuance of a building permit grading and servicing designs to the satisfaction of the Commissioner of Works shall be submitted;
- (v) that prior to issuance of a building permit O.M.B. approval of by-law 9378 is required;
- (w) that prior to issuance of a building permit the right of access to the public street over the 1 ft. wide strip of land lying between the extension of Queen Mary Road and the subject site belonging to the Grenville Park Housing Co-operative shall be obtained;
- (x) that prior to issuance of a building permit approval of the Conservation Authority for any necessary fill permits shall be obtained.

3.

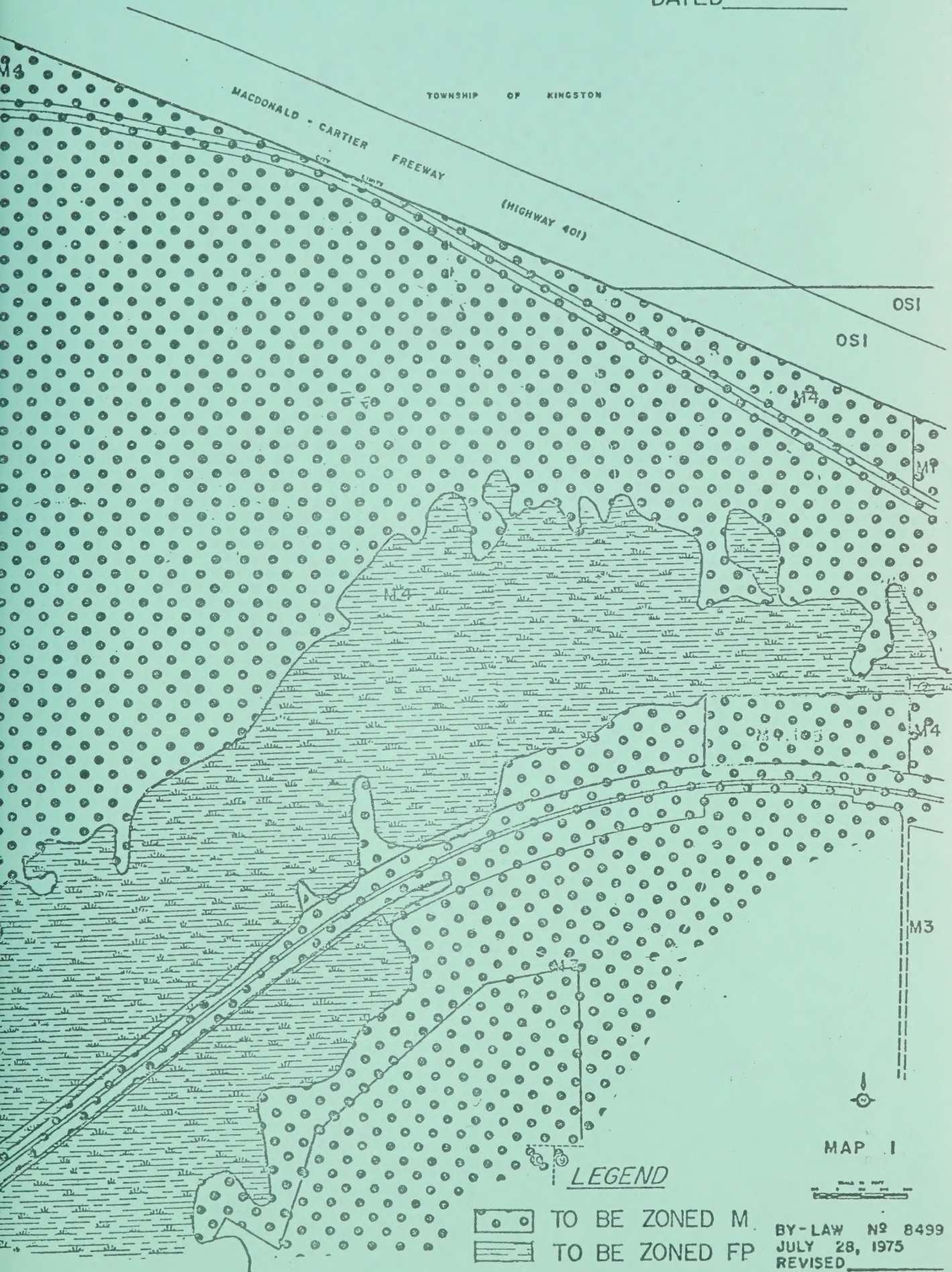
That Council does hereby reaffirm its intention to maintain the policy of the Official Plan and By-Law No. 8499 (Zoning By-Law), that the approximately 22 acre area north of the Bob Martin Construction development at Queen Mary Road and Bath Road (McKibbin Park) be maintained as public open space.

4. That the Cataraqui Region Conservation Authority be informed that Council endorses the fill permit application made by the Parks and Recreation Department of the City of Kingston, with respect to filling in McCullough Park.
5. That the Cataraqui Region Conservation Authority be informed that Council endorses the fill permit application made by the Public Works Department with respect to filling on City property in the industrial park (formerly the Clyde farm).
6. WHEREAS the matter of declining school enrolment has become an issue of public concern; and
- WHEREAS the closure of schools in the City of Kingston is also of great concern, particularly in the downtown area;
- THEREFORE BE IT RESOLVED THAT Council establish a study group to discuss the matter of school requirements for the City and the effect of declining enrolments on the municipality, such study group to be made up of representatives from:
- a) the City of Kingston Planning Board;
 - b) City Council;
 - c) Frontenac County Board of Education;
 - d) Frontenac, Lennox & Addington County Roman Catholic Separate School Board

Respectfully submitted,

CHAIRMAN

SCHEDULE 'A'
BY-LAW N^o 79-83
DATED

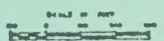




LEGEND

-  TO BE ZONED M.94
-  TO BE ZONED M
-  TO BE ZONED FP

MAP 2

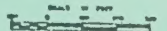


BY-LAW N^o 8499
 JULY 28, 1975
 REVISED _____

TOWNSHIP OF KINGSTON
CITY LIMITS

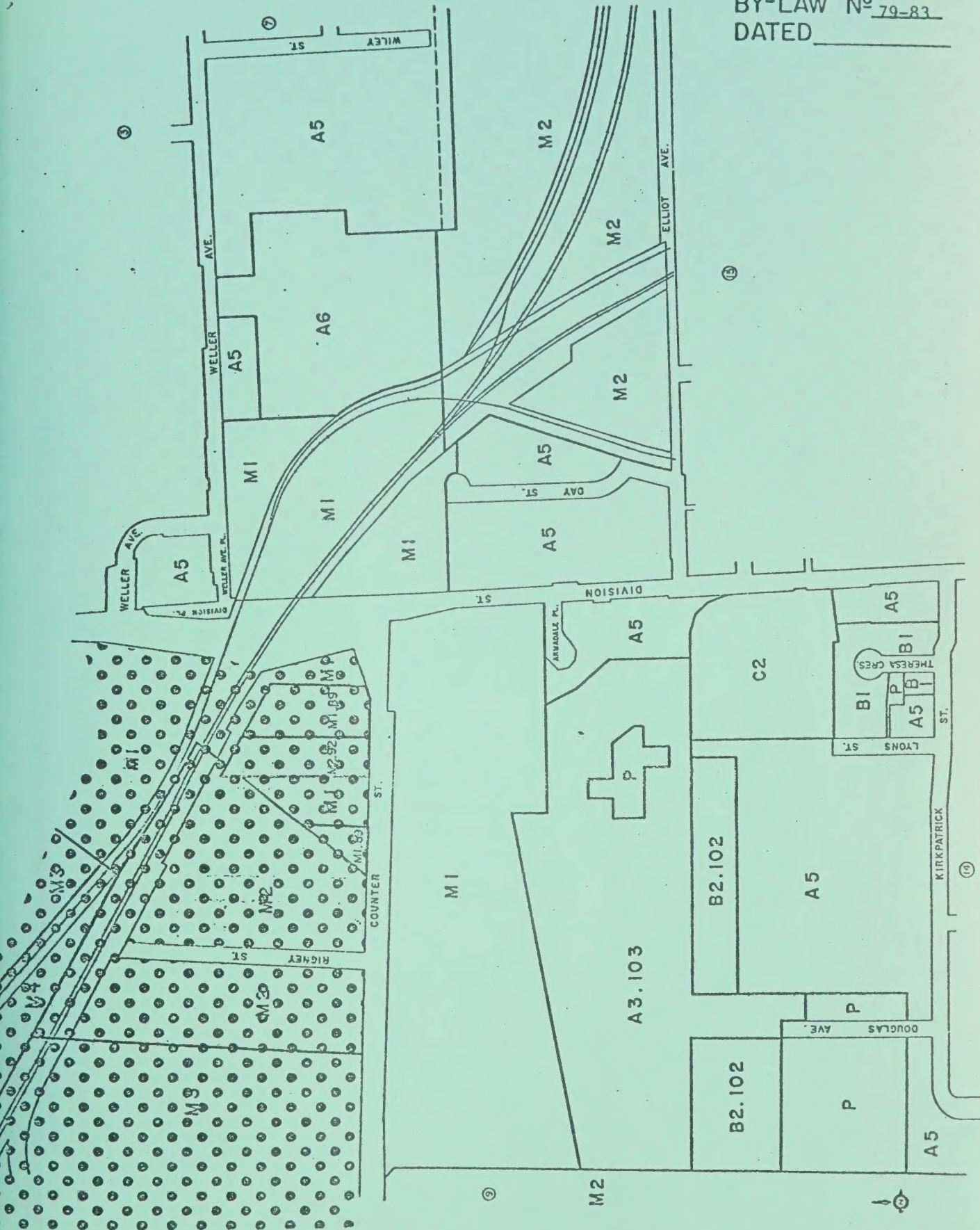


MAP 3



BY-LAW NO 8499
JULY 28, 1975
REVISED

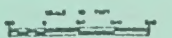
SCHEDULE 'D'
 BY-LAW N^o 79-83
 DATED _____



LEGEND

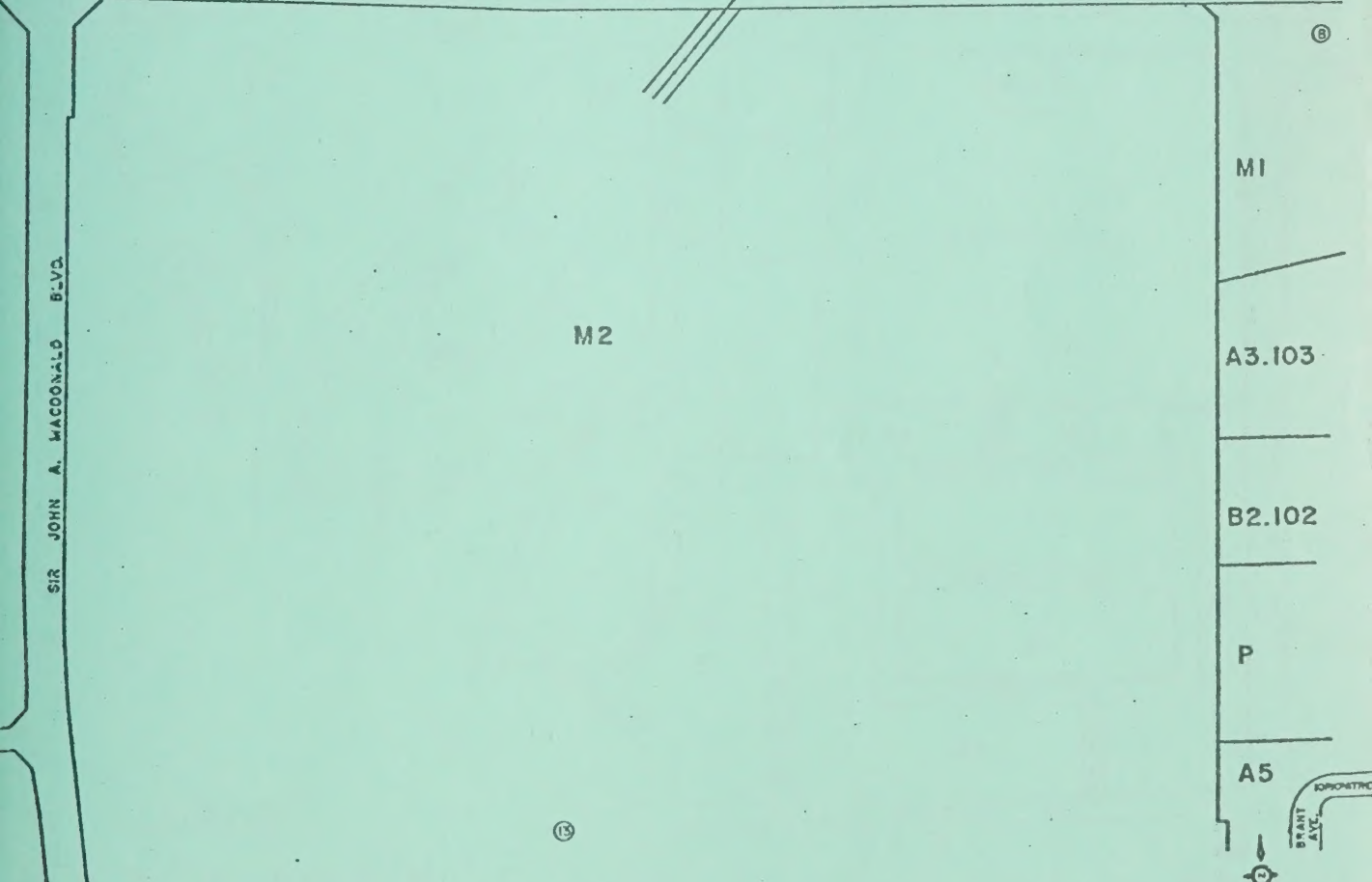
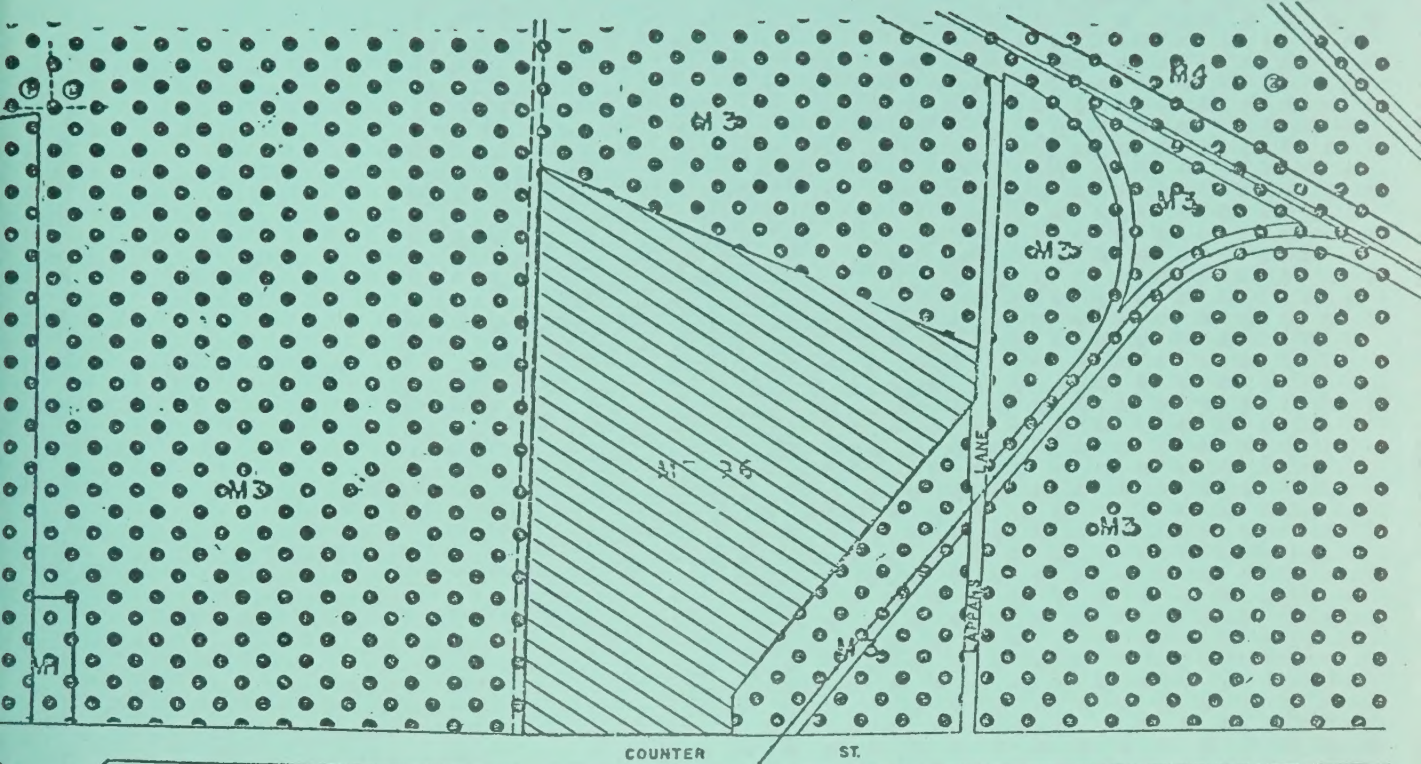
 TO BE ZONED M

MAP 8



BY-LAW N^o 8499
 JULY 28, 1975

SCHEDULE 'E'
 BY-LAW N^o 79-83
 DATED _____



LEGEND

-  TO BE ZONED M
-  TO BE ZONED M.96

MAP 9

SCALE IN FEET

BY-LAW N^o 8499
 JULY 28, 1975
 REVISED _____

SHIP OF KINGSTON



TO BE ZONED M
TO BE ZONED FP

MAP 10

BY-LAW NO 8499
JULY 28, 1975
REVISED

Report No. 47

April 17, 1979

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

1. That notwithstanding the provisions of By-law No. 14 - A By-law Relating to Sewers and Drains - Queen's University be permitted to drain the storm water from the Donald Gordon Building to the Pembroke St combined sewer in accordance with their Drawing No.24701-A024.

(See By-Law 13: No. 79-87)

Respectfully submitted,

Chairman

April 12, 1979

To the Mayor and Aldermen

The Parks and Recreation Committee recommends
as follows -

1. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be paid for Memorial Hall, Committee Rooms and Council Chamber - the Angada Children's Hospital Committee be permitted to use Memorial Hall at no charge on the evenings of September 26, October 10, October 24, November 7 and November 21, 1979 from 7.30 pm to 10 pm to hold public lectures to commemorate "International Year of the Child", it being understood they will relinquish the use of the Hall if it is required by the City.

(See By-Law 14: No. 79-88)

2. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be paid for Memorial Hall, Committee Rooms and Council Chamber - the Kingston and District Folk Arts Council be permitted to use the Elizabeth II Room at no charge on the first Monday of May, June, July, August, September, October, November and December 1979 from 7.30 pm to 11 pm to hold their monthly general meetings, it being understood they will relinquish the use of the room if it is required by the City.

(See By-Law 14: No. 79-88)

3. That the account of Arc Industries, in the amount of \$1800.00, for the design and construction of 80 limestone trophies for the Ontario Winter Games - Kingston 1978, be paid and charged to the Ontario Winter Games Account.

4. That Schedule D - Schedule of Rates for Membership or Use of Belle Park Fairways - of By-law No. 19 - A By-law to provide for the regulation use of Parks and Recreational Facilities of the Corporation - be amended to add the following to the Additional Services Section -
Club Storage

With Locker Privileges	- \$15.00
With Basket Locker Privileges	- \$12.50

Note People who use the above will be required to provide their own locks.

(See By-Law 15: No. 79-89)

April 12, 1979

5. That a Sub-Lease, in the form prepared by the City Solicitor and attached as Schedule "A", be entered into with Scott Yacht Services, Incorporated, to sub-lease areas at the Kingston Harbour Olympic Site for the operation of a Ship's Fuel and Pumpout and minor repair services.

6. That the Lease Agreement between 235130 Holdings Limited and the City of Kingston be amended to include the establishment of a Games Arcade on a one-year trial basis in a location within the concessionaire's area satisfactory to the Commissioner of Parks and Recreation and the City of Kingston, and the City of Kingston to receive 15% of the total gross revenue.

(Note: At Lake Ontario Park)

7. That the Lease Agreement between 235130 Holdings Limited and the City of Kingston be amended to include the following clause AND the Rules and Regulations Regarding Operation of Amusement Riding Devices attached as Schedule "B" -

"235130 Holdings Limited hereby indemnifies and saves harmless The Corporation of the City of Kingston from all claims, actions or suits that may arise out of the operation of the amusement concession and canteen at Lake Ontario Park."

Respectfully submitted,

Chairman

LAKE ONTARIO PARK

ARCADE COST

INCOME

Based on \$120.00 per day for a 100 day operation \$12,000.00

EXPENSES

1. Tent	\$1,000.00	
2. Floor	600.00	
3. Floor Covering	600.00	
4. Electricity	500.00	
5. Insurance	<u>800.00</u>	
	3,500.00	\$3,500.00

Labour based on \$3.50 per hour 100 day operation

\$3,500.00

15% to City of Kingston \$1,700.00

Total \$5,200.00

TOTAL EXPENSES \$8,700.00

NET PROFIT - ESTIMATED \$3,300.00

THESE FIGURES DO NOT REPRESENT THE COST OF MACHINES.

/mc
20/4/79

THIS SUB-LEASE MADE THE 19th DAY OF APRIL, 1979.

B E T W E E N:

THE CORPORATION OF THE CITY OF KINGSTON

(hereinafter called the "Sub-Lessor")

OF THE FIRST PART

- and -

SCOTT YACHT SERVICES, INCORPORATED

(hereinafter called the "Sub-Lessee")

OF THE SECOND PART

WHEREAS the Sub-Lessor has entered into a Head Lease, No. 7701K293 with The Department of Fisheries and the Environment for the land and land covered by the waters of Portsmouth Harbour, situate, lying and being in the City of Kingston, Province of Ontario, for a period of five (5) years, commencing January 1, 1977 to December 31, 1981;

AND WHEREAS the Sub-Lessee wishes to enter into a Sub-Lease with the Sub-Lessor;

NOW THEREFORE WITNESSETH that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Sub-Lessee to be paid, observed and performed, the Sub-Lessor hath demised and sub-leased unto the Sub-Lessee the following areas at the Kingston Harbour Site, as shown on the attached Schedule "A", for the operation of a Ship's Fuel and Pumpout and Minor Repair Service.

- (1) 900 square feet of outdoor space for boat storage, located immediately north of the southerly launching ramp, as shown on page two of the attached Schedule "A". It is understood that the Sub-Lessee will re-locate to a roughly equivalent location if requested by the Sub-Lessor, such re-location shall be after the receipt of sixty (60) days notice from the Sub-Lessor;

- (2) berthing space for minor repairs and dispensing of fuel, comprising the service dock area, as shown on page two of the attached Schedule "A".

TO HAVE AND TO HOLD for a period commencing the first (1st) day of May, 1979, until the thirtieth (30th) day of December, 1981, with an option to the Sub-Lessee to renew the Sub-lease for a five year period at a rent and on terms to be negotiated. If the Sub-Lessee wishes to renew this Sub-Lease it shall notify the Sub-Lessor in writing at least ninety (90) days prior to December 30th, 1981. Any such renewal shall be subject to the renewal of the said Head Lease between The Department of Fisheries and the Environment and the Sub-Lessor.

YIELDING AND PAYING THEREFOR unto the Sub-Lessor the sum of Thirty-Seven Dollars and Fifty Cents (\$37.50) per month, payable in advance on the first (1st) day of each and every month of the term of this sub-lease, commencing the first (1st) day of May, 1979, to and including the first (1st) day of December, 1981, calculated at Fifty Cents (50¢) per square foot per annum, covering Nine Hundred Square Feet (900 sq. ft.) of outdoor space, as shown on page two of the attached Schedule "A", totalling Four Hundred and Fifty Dollars (\$450.00) per annum. In addition, the Sub-Lessee shall pay to the Sub-Lessor, on the tenth (10th) day of each and every month for the term of this Sub-Lease, 1.1 cents per litre of fuel dispensed and one-third (1/3) of all pump out charges received during the preceding month commencing the first (1st) day of May, 1979 to and including the 1st day of December, 1981.

THE SUB-LESSEE COVENANTS AND AGREES WITH THE SAID SUB-LESSOR AS FOLLOWS:

1. That it is aware of all of the terms of the aforementioned Head Lease between The Corporation of the City of Kingston and The Department of Fisheries and the Environment,

No. 7701K 293, a copy of which is attached to this Sub-Lease as Schedule "C", and the Sub-Lessee covenants and agrees to be bound by all of the terms of this principal lease;

2. That it will pay the rent reserved at the time hereinbefore listed for the payment thereof, without any deduction whatsoever.

3. That it will not, during the continuance of the Sub-Lease, transfer, assign or sublet the said premises without the consent of the Sub-Lessor, and such consent shall not arbitrarily be refused.

4. That it will pay all business taxes for the demised premises at the Kingston Harbour Olympic Site.

5. That, having inspected the appurtenances thereto belonging, accepts the said premises and appurtenances in their present condition and state of repair. That, at its own risk and expense, will carry out all repairs and maintenance necessary to place and maintain the demised premises and appurtenances thereto belonging and all equipment therein in proper working condition sufficient for its purposes and that at no time during the currency of this sub-lease shall the Sub-Lessor be called upon to repair, maintain or replace any part of the premises demised herein, or the appurtenances belonging thereto.

6. That the Sub-Lessor shall not be liable for any personal injury or property damage, howsoever arising, in connection with the use or occupancy of the said lands and premises.

7. That it will indemnify and save harmless the Sub-Lessor from and against all claims, demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, sustained, or brought or prosecuted in any manner based upon, occasioned by, or attributable to any injury or damage arising or resulting from any act or omission of the Sub-Lessee, its servants or agents in using or occupying the said demised premises.

8. That, at its own expense and concurrently with the execution of this Sub-Lease, shall place and maintain at all times during the currency of this Sub-Lease, general public liability insurance to third parties in the amount of Five Hundred Thousand Dollars (\$500,000.00) and in the same amount for damage done to property arising from one accident, with a responsible insurance company or companies, so as to fully cover the sub-lessee's liabilities to any firm, person, association or corporation, resulting from or attributable to the operations of the sub-lessee hereunder; and evidence of such insurance, satisfactory to the sub-lessor, shall be deposited with The Corporation of the City of Kingston.

THE SUB-LESSOR COVENANTS AND AGREES WITH THE SUB-LESSEE AS FOLLOWS:

9. That, upon the Sub-Lessee paying the rents and performing the covenants herein contained on the part of the Sub-Lessee to be paid and performed, the Sub-Lessee shall and may peaceably and quietly enjoy the said premises without molestation, hindrance or disturbance from or by the Sub-Lessor or any person or persons claiming through or under it.

10. That it shall be responsible for bringing to the demised premises, where required, water, sewer and electrical utilities to the property line of the demised premises.

11. That it shall be responsible for payment of all property taxes, including local improvement charges, for the demised premises.

12. That the Sub-Lessee will provide and maintain all necessary furnishings and equipment that are required to operate a marine fuel and pump out service.

13. That the sub-lessee will provide the following services:

- (i) Fuel and Service Area
The Sub-Lessee will provide fuel and pump-out services. These will be maintained at the expense of the sub-lessee and operated

at least daily during peak boating seasons, in compliance with City of Kingston By-Laws. The Sub-Lessee shall comply with the operating hours listed and the attendance noted in Schedule "B" which shall form part of this agreement. The Schedule shall indicate the minimum operating hours per day during the afore-mentioned operating season and shall indicate how staffing will be deployed in the delivery of the fuel and pump-out service. Operating hours may be amended during the operating season through the written approval of the Commissioner of Parks and Recreation in response to a written proposal of change from the Sub-Lessee.

(ii) Repairs

Minor repairs only will be provided on site.

(iii) Information

The sub-lessee shall staff his operation in a manner consistent with the prestigious ideals of the sub-lessor for customer service and shall endeavour to assist the sub-lessor in the dissemination of information pertinent to the sub-lessor's domain, it being understood that such assistance is secondary to the delivery of fuel, pump out and repair service which shall be performed in a diligent and courteous manner. Any reasonable request for the extension of services or improvement to the quality by the sub-lessor as changing conditions dictate shall not arbitrarily be refused.

14. The Sub-Lessee shall provide the Sub-Lessor with weekly reports which shall show daily opening and closing fuel pump reading, copies of merchandise delivery receipts pertinent to the procurement of inventory during the reporting week and daily opening and closing receipt numbers issued for the delivery of pump out service. The sub-lessee shall pay to the sub-lessor on the tenth (10th) day of each month 1.1 cents per litre for all fuel dispensed and one-third (1/3) of all pump out charges received during the preceding month. Failure to produce the afore-mentioned reports, shall give the Sub-Lessor the right, after giving fifteen (15) days notice in writing, to terminate the agreement.

15. The Sub-Lessor shall continue to operate all berthing and docking facilities and the operation of the fuel, pump out, and minor repair service by the Sub-Lessee shall not infringe or encroach upon the Sub-Lessor's operations.

16. That the Sub-Lessee shall pay for any alterations needed to suit the space for its occupancy, that it shall provide to the sub-lessor details of all alterations proposed and withhold commencement of any work until the written consent of the Sub-Lessor is obtained, that all such alterations to the said premises shall be maintained by and at the sole cost of the Sub-Lessee, to the satisfaction of the Sub-Lessor, and that all permanent improvements made by the Sub-Lessee shall become the property of the Sub-Lessor without payment, when the Lessee vacates the premises. That the Sub-Lessee shall not construct or erect any buildings or other structures on the said lands and the said facilities without obtaining the approval of the Regional Director of Small Craft Harbours Branch, Ontario Region, of The Department of Fisheries and the Environment of Canada, and the Commissioner of Parks and Recreation, of plans showing the design and nature of construction of such buildings or structures and their proposed locations, and all such buildings or structures shall be constructed and thereafter maintained by and at the cost and expense of the Sub-Lessee to the satisfaction of the Commissioner of Parks and Recreation.

17. That the aforesaid Regional Director and the Sub-Lessor, their servants or agents, shall at all times and for all purposes, have full and free access to any and every part of the said lands and the said facilities while acting within the scope of their duties or employment.

18. The Sub-Lessee shall erect signs at dockside which will clearly indicate the hours of operation and cost for services offered at the fuel and pump out service dock. Any signs erected on the site by the Sub-Lessee shall be subject to the approval of the Sub-Lessor.

IT IS MUTUALLY AGREED AS FOLLOWS:

19. That if the said premises hereby sub-leased are at any time during the said term wholly or partially destroyed by fire or otherwise, so as to render them untenable, the rent shall forthwith become payable up to the time of such destruction and the term hereby created shall forthwith terminate, but if the premises are only partially destroyed, the term shall not terminate if the Sub-Lessee agrees in writing to the continuance thereof and the Sub-Lessor forthwith repairs and makes the premises fit for the purpose of the Sub-Lessee, but the rent reserved up to the time of the said destruction shall forthwith be payable by the Sub-Lessee and the proportionate part of the rent reserved shall abate until the premises have been made fit for the purpose of the sub-lessee.

20. That in case the rent reserved or any part thereof is in arrears for the space of one calendar month, or in the case default is made in the fulfillment of any covenants on the part of the Sub-Lessee, whether express or implied, and is continued for the space of one calendar month, the Sub-Lessor may enter upon and take possession of the demised premises or any part thereof in the name of the whole and the same repossess and enjoy as of its former estate, and the term hereby granted shall thereupon cease and terminate.

If the Sub-Lessee shall be in default hereunder in the payment of rent or amounts collectible hereunder as rent reserved and in arrear, the Sub-lessor may give written notice of such default to the Sub-Lessee and the Sub-Lessee shall have fifteen (15) days after receipt of such notice within which to remedy such default. If the Sub-Lessee shall be in default of any of its covenants and obligations hereunder other than its covenant to pay rent or amounts collectible hereunder as rent reserved and in arrear, the sub-lessor may give written notice to the sub-lessee forthwith, such default coming to the attention of the sub-lessor shall with

reasonable particularity state the nature of the default and require the same to be remedied and the sub-lessee shall have from the receipt of such notice sixty (60) days (or such longer period as may be reasonably necessary bearing in mind the nature of the default), within which to remedy such default. If, after the expiration of the times above listed, the sub-lessee remains in default, the sub-lessor may thereupon at its option, either by itself or its lawfully authorized agent, enter and re-enter into and upon the said demised premises or any part thereof in the name of the whole and have again, repossess and enjoy its former estate free and clear of all claims of the sub-lessee, and this sub-lease shall be terminated; provided nevertheless that the sub-lessor shall not terminate this sub-lease because of default of the sub-lessee in payment of rent or amounts collectible hereunder as rent reserved and in arrear without having first given to the sub-lessee the notice of default in payment of rent hereinbefore provided for.

21. . The Sub-Lessee shall cause to be kept records according to accepted principles of accounting, indicating revenues and expenditures pertaining to the operations and management of the said lands and the said facilities and the sub-lessee shall supply the sub-lessor with an audited statement of the revenues and expenditures at the end of each sub-lease year. Failure to produce such records shall give the Lessor the right, after giving fifteen (15) days notice in writing, to terminate this agreement.

22. The books of the sub-lessee concerning the operations and management of the said lands and the said facilities shall be open for audit and inspection by the designated officers of the sub-lessor at any time during the business hours of the sub-lessee.

THAT THESE PRESENTS and everything herein contained shall respectively enure to the benefit of and be binding upon the parties hereto, their executors, administrators, successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their hands and seals.

SIGNED, SEALED AND DELIVERED) THE CORPORATION OF THE CITY
OF KINGSTON

)

) Mayor

)

) City Clerk

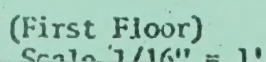
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) SCOTT YACHT SERVICES INCORPORATED

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YONGE STREET



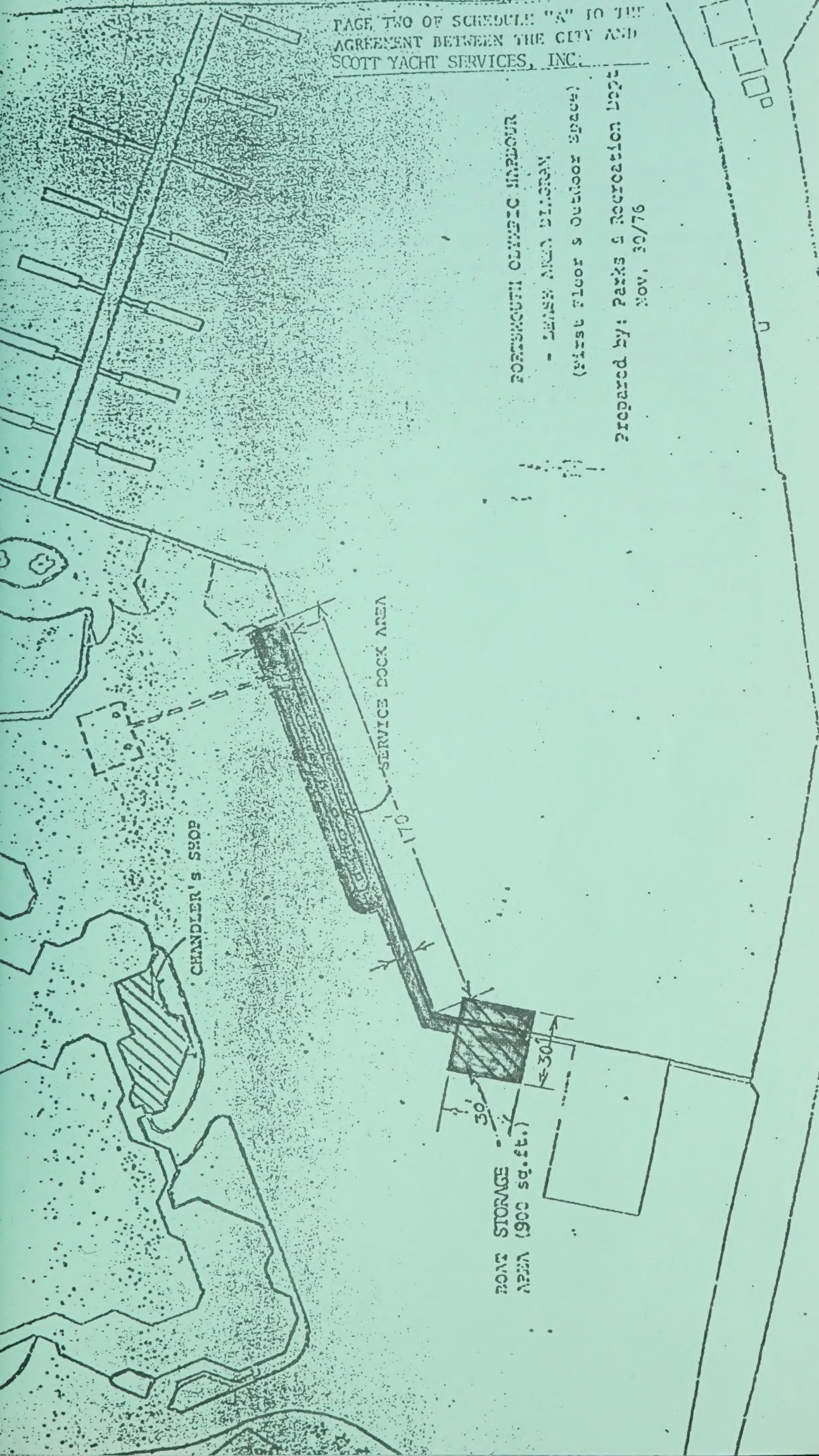
PAGE TWO OF SCHEDULE "A" TO THE
AGREEMENT BETWEEN THE CITY AND
SCOTT YACHT SERVICES, INC.

PORTSMOUTH OLYMPIC HARBOUR

- LEASE AREA DIAGRAM

(First Floor & Outdoor Space)

Prepared by: Parks & Recreation Dept
Nov. 30/76



SCHEDULE "B" Of Agreement
between the City of Kingston
and
SCOTT YACHT SERVICES, INC.

The following indicates the minimum operating hours and staffing for the fuel and pump out service at Portsmouth Olympic Harbour as required under Section 15, Clause (i)

Schedule period of operation shall be from May through the middle of October.

MAY	-	Monday through Friday 9 A.M. - 5 P.M.	-	Attended by
	-	Saturday & Sunday 9 A.M. - 5 P.M.	-	Chandler Ship Personnel
JUNE	-	Monday through Thursday 9 A.M. - 5 P.M.	-	Attended by
	-	Friday & Saturday 9 A.M. - 7 P.M.	-	Chandler Ship Personnel
	-	Sunday 8 A.M. - 6 P.M.	-	
JULY	-	Monday through Thursday 9 A.M. - 7 P.M.	-	Staffed by
	-	Friday, Saturday, Sunday 9 A.M. - 9 P.M.	-	Attendant at the Fuel Dock
AUGUST	-	Monday through Thursday 9 A.M. - 7 P.M.	-	
		Friday, Saturday, Sunday 9 A.M. - 9 P.M.	-	
SEPTEMBER	-	Monday through Thursday 9 A.M. - 5 P.M.	-	Attended by
		Friday and Saturday 9 A.M. - 7 P.M.	-	Chandler Ship Personnel
		Sunday 8 A.M. - 6 P.M.	-	
OCTOBER	-	Monday through Friday 9 A.M. - 5 P.M.	-	Attended by
		Saturday 9 A.M. - 5 P.M.	-	Chandler Ship Personnel
		Sunday Closed		

SPECIAL EVENTS:- During special boating events hosted at the Portsmouth Olympic Harbour operating hours shall be 8 A.M. - 9 P.M.

March 23, 1979

Rules And Regulations RegardingOperation of Amusement Riding Devices - Lake Ontario Park

The owner or his agents shall submit to the Corporation of the City of Kingston, prior to operation of Amusement Riding Devices in Lake Ontario Park, annually as follows:

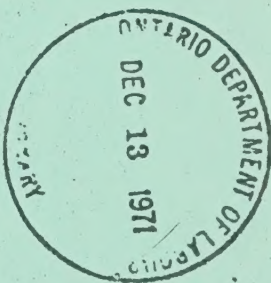
1. Inspection Report from the Canadian Outdoor Amusement Association or designate of that organization,
 - (a) listing and identifying rides inspected and approval for rides as to compliance with manufacturer specifications
 - (b) installation and location
 - (c) proposed operating and maintainance schedule, submitted by the owner.

Where additional rides are used in the Park on promotional events, C.O.A.A. approvals are required as well as evidence of extended liability insurance.

2. Inspection Report from the Ontario Hydro showing installation to be acceptable.
3. Comply with Canadian Standards Association - Midway Safety Code and supply the City with a certificate of intension to operate within the specified scope of the aforementioned schedules.
4. Identify the ride supervisor or alternate to be on duty in the Park when rides are in operation.
5. Provide an operating procedure schedule for each ride which will set the basis for instructing ride operators, i.e. loading, starting, monitor movement or equipment, stopping, unloading.

Also including rules:-

6. - Every owner and operator shall make every attendant aware of all safety standards applicable to the amusement ride.
 7. - No person shall operate or cause to be operated an amusement ride that has become unsafe through usage.
 8. - No person shall be in the immediate vicinity of the operating controls of the amusement device during the operation and no person other than the attendant or operator shall be permitted to handle such operating controls during normal operation.
 9. - An amusement ride shall not be overcrowded or loaded in excess of its carrying capacity, nor shall it be operated at any speed beyond that recommended by the manufacturer.
 10. - An amusement ride shall not be operated under weather conditions which alter the performance of the ride, or the safety and comfort of the customer, except to release or discharge occupiers. All devices must be guyed or anchored to withstand winds of up to 70 m.p.h.
1. - Amusement rides shall be properly illuminated, especially with respect to access and exits in order to prevent personal injuries.
 2. - The operator shall provide a standard system of signals for the starting and stopping of amusement rides, it being understood that the signals will provide the operator or attendant with a means to operate the amusement ride where the operator or attendant does not at all times have a clear view to the point where passengers are loaded or unloaded.
 3. amended - The interior and exterior parts of the amusement ride shall be so maintained to prevent injury to passengers and where children are permitted to ride on amusement rides, adequate protection must be provided for the children through safety bar safety belts or other suitable measures.
 4. - The owner, operator and attendant shall maintain the manufacturer's instructions and Canadian Safety Association standard for the amusement ride in a good condition and readily available. The owner, operator and attendant shall ensure that the area where equipment to which the public should not have access is suitably fenced or barricaded to the satisfaction of the Corporation of the City of Kingston.



CSA STANDARD Z267-1971

MIDWAY SAFETY CODE



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COMMITTEE ON MIDWAY SAFETY CODE

F. H. ELLIS (<i>Chairman</i>).....	Ontario Safety League, Toronto
G. E. BEATTIE (<i>Mtr.</i>).....	New Brunswick Safety Council, Fredericton
J. C. BOWDEN.....	Canadian Standards Association, Winnipeg (Representing Greater Winnipeg Safety Council)
J. F. CONKLIN.....	Conklin & Garrett Limited, Brantford
W. H. ESTES.....	A.R.E.A. Ride Safety Committee, Flowerville, Michigan
D. E. GARRICK.....	C.N.E., Toronto
T. F. JACOBS.....	Jacobs Welding Engineering Limited, Edmonton
H. L. KING.....	Ontario Department of Labour, Toronto
R. P. LAWRENCE.....	The Alberta Safety Council, Edmonton
H. W. MADGWICK.....	Bridge & Tank Co of Canada Ltd., Hamilton
E. D. MCGUGAN.....	Western Fair Association, London
P. G. McLAREN.....	The Canada Safety Council, Ottawa
H. MUISE.....	Prince Edward Island Workmen's Compensation Board, Charlottetown
L. A. O'MORROW.....	Manitoba Department of Labour, Winnipeg
G. PEDNEAULT.....	Quebec Department of Labour and Manpower, Quebec
W. A. PERRY.....	Canadian Association of Exhibitions, Toronto
R. VALCOURT.....	Man and His World, Montreal
H. E. WRIGHT.....	Farm Safety Council of Ontario, Guelph
D. TEXELE (<i>Secretary non-voting</i>)....	Canadian Standards Association, Rexdale

In addition to the members of the Committee, the following made valuable contribution to the development of this Standard in his capacity as noted:

S. KOINOFF (*Alternate*)..... Department of Labour, Toronto

PREFACE

This first edition of CSA Standard Z267, Midway Safety Code, establishes safety standards for transportation of passengers on amusement rides and for temporary structures at carnivals, fairs, and amusement parks. The purpose of this Code is to guard against personal injuries in the assembly, operation, disassembly and use of amusement rides and temporary structures at carnivals, fairs, and amusement parks to persons employed at or attending the same, or to the users.

It is anticipated that this Standard which represents the latest thinking of a cross-section of the industry and existing regulating agencies, will form the basis for safety regulations to be established by provincial governments and other legal agencies, insurance companies, and interested industrial and trade associates.

Applicable codes and standards should be referred to when designing, fabricating, installing and operating amusement rides.

The purpose of this Code is to set out guidelines for all associated with the midway industry to provide safe amusement for the public.

This Standard was prepared by the Committee on Midway Safety Code, under the jurisdiction of the Sectional Committee on Safety Codes, and was formally approved by these Committees.

REXDALE, OCTOBER, 1971

NOTE: In order to keep abreast of progress in the industries concerned, CSA Publications are subject to periodic review. Suggestions for improvement will be welcomed at all times. They will be recorded and in due course brought to the attention of the appropriate committee for consideration.

Also, requests for interpretation will be accepted by the Committee. They should be worded in such a manner as to permit a simple "yes" or "no" answer based on the literal text of the requirement concerned.

All enquiries regarding this Standard should be addressed to Canadian Standards Association, 178 Rexdale Boulevard, Rexdale 603, Ontario.

REFERENCE PUBLICATIONS

A list of Publications referred to in this Standard is included in Clause 1.3. Bibliography is included in Appendix A.

1. SCOPE

1.1 Applications. This Standard applies to amusement rides and temporary structures at carnivals, fairs, and amusement parks and to the managers of such devices and structures to the persons employed in connection with the same and to their employers.

1.2 Intent. It is the intent of this Standard, and it is hereby required, that such rides and structures shall be so designed, constructed, assembled or disassembled, maintained and operated as to prevent such injuries.

1.3 Reference Publications. This Standard makes reference to the following publications and where such reference is made it shall be to that edition of such publication as listed below:

CSA Standards B51-1969,

B144-1969,

B252-1971,

C22.1-1969,

C22.3 No. 1-1970, Overhead Systems and Underground Systems;

Z98-1968, Aerial Passenger Tramways,

Z102.15-1967, Steel Drums.

2. DEFINITIONS

2.1 The following definitions apply in this Standard:

Mandatory and Advisory Rules means to carry out the provisions of this Standard, the word "shall" is to be understood as mandatory and the word "should" as advisory;

Amusement ride means a device or combination of devices designed or intended to entertain or amuse people by physically moving them;

Amusement park means a tract of land used as a temporary or permanent location for amusement devices and structures;

Approved means approved by the authority having jurisdiction;

Authority having jurisdiction means enforcing authority as designated by Federal, Provincial, or Municipal Government;

Car means a passenger conveyance;

Carnival means an enterprise principally devoted to offering amusement or entertainment to the public in, upon or by means of amusement devices or temporary structures in any number or combination, whether

It means a doorway or other opening affording safe and unobstructed access to an open area;

Amusement means an enterprise principally devoted to the exhibition of the arts of agriculture or industry, and at or in connection with which amusement devices and temporary structures are provided;

Machine room means that portion of a building or enclosure which contains only the motive power and driving mechanism;

Manager means a person having possession, custody or managerial control of an amusement device or temporary structure at a carnival, fair or amusement park, whether as owner, lessee, agent or otherwise;

Midway means a collection, group or section of amusement rides in a fair, exhibition, fair, or amusement park;

Rated capacity means the capacity established by the manufacturer of the equipment and as indicated on the equipment name plate;

Idle complete cycle means a complete turn of each passenger unit in minutes of operation excluding a starting and stopping, whichever is applicable to the device being affected;

Safety dog means a device which will prevent roll-back of cars;

Stop means a device, switch or button, mechanical or electrical which stops the device;

Temporary structure means a structure designed to be relocated from time to time with or without disassembly and used or intended to be used for amusement purposes or for public occupation in connection with other purposes.

3. GENERAL REQUIREMENTS

General

3.1 General. The following general requirements shall apply to all categories of midway amusement devices described in this Standard:

For the purposes of design, the average passenger shall be considered as having a weight of 170 pounds;

If a designer or manufacturer of equipment wishes to use materials not covered by these Standards, the design, details, materials, and construction features shall provide safety factors at least equivalent to those specified in this Standard;

Where amusement devices run along irregular routes, such as gravity rides, special consideration for safety precautions shall be provided;

Each part of an amusement ride or device, shall be designed and constructed by those competent in that particular class of work. Choice, quality, testing, and use of materials shall be in accordance with appropriate CSA Standards or requirements of the authority

3.1.2 Location. In selecting the location and alignment of a midway or any amusement device thereon, consideration shall be given to ease of access and exit, surface drainage, fire protection, and area lighting.

3.2 Electrical Protection

3.2.1 General Requirement. All electrical equipment and electrical installations must comply with CSA Standard C22.1, Canadian Electrical Code, Part I, as mandated by the local inspection authorities.

3.2.2 Elevated Lines. All overhead electrical power transmission lines shall comply with the requirements of CSA Standard C22.3 No. 1, Overhead Systems and Underground Systems. Only signal, communication, and control circuits are permitted to be carried on towers which support aerial amusement devices and the lighting and control circuits of one amusement device shall not be carried on the supporting towers of another amusement device.

3.2.3 Transformers, Equipment and Wiring. All transformer station electrical equipment and wiring shall be protected against the weather unless suitable for outdoor use. Rooms or lockers containing electrical equipment shall not be accessible to the public. Locks to be provided if required.

3.2.4 Low Voltage Release. Any motor which could create a hazard in the event of its unexpected restart upon resumption of the power supply (after a power failure) shall be provided with low voltage release, i.e. electro-magnetic starting.

3.2.5 Suspended Electric Wiring. Temporary electric wiring, if suspended, shall be so supported that its protective insulation will not be damaged.

3.2.6 Grounding. All electrical installations shall be properly grounded. All rides with electric motor drive and lighting shall be grounded to a common main ground in turn connected to the feeding generating station or substation.

3.2.7 Exposed Conductors. Bare wires and other uninsulated current-carrying parts shall be guarded against inadvertent contact by means of proper location or by a fence or other barrier.

3.2.8 Overcurrent Protection. Shall be in accordance with CSA Standard C22.1, Canadian Electrical Code, Part I—Inside Wiring Rules.

3.2.9 Generator Grounding. Where electrical power is supplied for an amusement device or a temporary structure by a privately operated generating system, the generator and all equipment shall be properly grounded.

3.2.10 Receptacles and Caps. All receptacles and attachment caps shall be of the grounding type.

3.2.11 Stop Switch. Each electrically operated amusement ride or device other than battery operated, shall be provided with a disconnect power switch which will stop the operation of the device.

General Maintenance.—Tramways. The provisions of the appropriate laws in CSA Standard Z98 Aerial Passenger Tramways shall apply to ways used as amusement devices.

Inspection and Maintenance

4.1 Inspection and maintenance of rides shall be made by a competent trained person.

4.2 The daily inspection shall include blocking, structure, drives passenger carrying equipment. A daily test prior to operation shall be made and shall include controls, safety devices, brakes, and communication equipment.

Periodic non-destructive tests or load tests of amusement rides or components thereof may be required to be carried out by the authority having jurisdiction.

Prohibited Use. No person shall knowingly use, or suffer or permit used, an amusement device which is not properly assembled or which is defective or unsafe in any of its parts, components, controls or safety equipment.

Assembly and Disassembly

6.1 Competent Supervision. The assembly and disassembly of an amusement device or a temporary structure shall be done by or under the immediate personal supervision of a person experienced and instructed in proper performance of such work in respect to the device or structure.

6.2 Quality of Assembly Work. Assembly work shall be performed in proper and workmanlike manner. Parts shall be properly aligned, and not be bent, distorted, cut, or otherwise damaged to force a fit. Parts requiring lubrication shall be properly lubricated in course of assembly. Bolts and locking devices such as bolts, cap screws, cotter pins, lock washers etc., shall be installed where required for dependable operation. Cotter pins shall be drawn tight, cotter pins shall be spread and lock nuts firmly shall be drawn tight.

6.3 Quality and Inspection of Parts. Parts which are excessively worn or which have been materially damaged shall be replaced by sound equivalent components. Close visual inspection of parts shall be made by assembly to discover such wear or damage and immediate inspection of parts shall be made after assembly to assure that they have properly installed.

Tools and Equipment

3.6.4.1 Persons engaged in the assembly or disassembly of midways shall be provided with and shall use tools of proper size and design to do the work to be done safely. Broken, damaged, and unsuitable tools shall not be used.

3.6.4.2 Ladders, scaffolds, and safety belts used in assembly or disassembly work shall be of such design, material and construction as to provide adequate protection to the persons using them.

3.6.4.3 Fibre rope used in assembly or disassembly work shall

3.6.4.4 Tackle blocks shall be of a size to fit the rope. All load-carrying equipment shall be designed and constructed throughout to support the intended load plus an additional 100 per cent factor to allow for wear and deterioration of components such as ropes.

3.6.5 Lighting. Assembly and disassembly of amusement devices and temporary structures shall be done under light conditions sufficient to permit the work to be properly performed and inspected.

3.7 Control of Operation. Amusement devices shall be operated only by sufficiently mature and competent operators. Every operator shall have knowledge of the use and function of all normal and emergency operating controls and the proper use of the ride. An operator shall be in the immediate vicinity of the operating controls during operation and no other person shall be suffered or permitted to handle such controls during normal operation. This provision does not apply to amusement devices designed to be operated or controlled safely by a passenger. Rides not suitable for all ages should be so identified.

3.8 Overloading and Overspeeding. An amusement device shall not be overcrowded, or loaded in excess of its rated carrying capacity; nor shall it be operated at any speed beyond that recommended by the manufacturer. Maximum speed limiting devices shall be set at levels which permit safe operating speeds and shall not be tampered with.

3.9 Wind and Storm Hazards. An amusement device which is exposed to wind or storms shall not be operated under adverse weather conditions except to release or discharge occupants. All devices must be guyed or anchored to withstand winds up to 70 m.p.h.

3.10 Lighting. Amusement devices, temporary structures, access thereto and exits therefrom shall, while in operation or occupied, be provided with illumination by natural or artificial means sufficient to guard against personal injuries under these circumstances. Covers shall be installed over bare light bulbs where the public would otherwise come in contact with them. Adequate lighting shall be maintained at loading and unloading areas on all amusement rides.

3.11 Identification of Amusement Devices. Where it is not obvious, the nature of all devices shall be clearly identified, particularly to avoid traumatic experiences on the part of children or immature persons.

3.12 Emergency Brakes and Anti-Rollback Devices. If cars or other components of a midway amusement device may collide in such a way as to cause personal injuries upon failure of normal controls, emergency brakes sufficient to prevent such collisions shall be provided. On rides which make use of inclined tracks, automatic anti-rollback devices shall be installed to prevent backward movement of passenger-carrying units in case of failure of the propelling mechanism.

3.13 Signal Systems. Signal systems for the starting and stopping of amusement devices shall be standardized and provided where the operator of the contrivance does not have a clear view of the point at which passengers are loaded or unloaded. Any code of signals adopted shall be printed and kept posted at both the operator's and signalman's stations. All persons who may use these signals shall be carefully instructed in their use. Signals for

passengers and other persons who may be endangered are in a position of safety.

Public Protection. A midway shall not be used or operated until all persons in which persons may be endangered have been fenced, barricaded, otherwise guarded against public intrusion. Machinery used in or with a midway shall be enclosed, barricaded, or otherwise effectively guarded to prevent contact. Guards removed for maintenance purposes shall be replaced before normal operation is resumed.

Passenger-Carrying Devices. The interior and exterior parts of all passenger-carrying midway cars with which a passenger may come in contact shall be smooth and rounded, free from sharp, rough, or splintered surfaces and corners, with no protruding studs, bolts, screws, or other projections which might cause injury. Interior parts upon or against which a passenger may be forcibly thrown by the action of the ride shall be adequately padded. Such belts, bars, foot rests, and other equipment as may be necessary for safe entrance and exit and for adequate support while the contrivance is in operation shall be provided. Such equipment and the fastenings thereof shall be of sufficient strength to retain all passengers. The fastenings shall be of a type which cannot be inadvertently released by the passenger. If children are permitted to ride on amusement devices, adequate instructions suitable for their protection must be provided to prevent children from riding under or through safety belts and bars.

Fire Prevention and Protection. Fire prevention and protection shall be in accordance with the requirements of the Fire Marshal having jurisdiction but in any case shall conform to the requirements of Clauses 1 to 3.16.4.

3.16.1 Fire Extinguishers. Approved fire extinguishers shall be provided where necessary to secure reasonable and adequate protection from fire hazards. They shall be adequately mounted, marked, and freely accessible at all times.

3.16.2 Flammable Waste. Flammable waste such as oily rags and flammable materials shall be placed in covered metal containers which shall be kept in easily accessible locations. Such containers shall be kept from exits. No inflammable material or waste shall be stored or kept in amusement devices.

3.16.3 Flammable Liquids and Gases. Gasoline and other volatile liquids and flammable gases shall be kept in reasonably cool ventilated containers, isolated from the public. Such liquids shall be in approved safety cans, and the carrying of lighted cigars, cigarettes, or pipes is prohibited within 10 feet of any area where such liquids or gases are stored. Containers shall be transferred from one container to another. All devices shall be shut off before refueling and emptied of all riders. The provisions of the following Standards apply to this Standard, B144, Portable Plastic Containers for Petroleum Fuels, B1252, Portable Metal Containers for Gasoline and Petroleum Fuels, and Z102.15, Steel Drums.

3.16.4 Internal Combustion Engines. Adequate provision shall be made to ensure that exhaust fumes are vented a sufficient distance from the public to prevent contamination of the air breathed by employees and

3.17. Cleanliness. A suitable number of receptacles for refuse shall be provided in and around all amusement devices and temporary structures. Excessive accumulations of trash or refuse shall be promptly removed. All parts of amusement devices and temporary structures used by passengers or customers shall be maintained in a clean condition.

3.18 Control and Safety of Passengers

3.18.1 Supervision. There shall be an adequate number of attendants to supervise loading and unloading. One attendant shall be placed in charge of the operating crew.

3.18.2 Control of Passengers. The requirements regarding marshaling of passengers for smooth and safe loading and unloading without interference shall be established by management. The attendants shall be trained accordingly.

3.18.3 Side Guards. Elevated rides of the slide type shall not be operated unless the side guards provide sufficient protection and the surface of the slide and guards is uniformly smooth and free from splinters or cracks.

3.18.4 Signs. Signs, bold in design and easily understood relevant to the safety precautions of each type of amusement ride, shall be posted where they may be seen by all persons using each amusement ride.

3.18.5 Markers. Where guys from amusement devices and connections intersect the ground within a midway area used by the public, the guys shall be marked for visibility, preferably with boards painted with black and fluorescent yellow or orange stripes.

3.18.6 Evacuation. A system of planned evacuation from all amusement rides, in the event of power failure, fire, or breakdown, shall be established to the satisfaction of the authority having jurisdiction. Adequate equipment for such evacuation of passengers, as necessary shall be kept available at all times for immediate use. Where required, adequate automatic or remote-controlled emergency lighting shall be provided.

3.18.7 Inflated Rides. Sufficient anchorage shall be provided. This type of ride shall not be loaded so as to cause collision or injury between users. Ventilators and fans shall be protected so as to prevent injury.

3.19 Stopping Devices

3.19.1 General. The location of the safety stop shall be marked with a red marker.

3.19.2 Restarting. After any actuation of a safety stop, the cause shall be determined and removed. Safety stop circuits shall not be by-passed during passenger operation.

3.20 Air Compressors and Equipment. Air compressors, air compressor tanks and equipment used in connection therewith shall be constructed, equipped and maintained to ensure safe operation at all times. They shall be inspected and tested at least once a year by a qualified person and a record of such inspection shall be kept and made available to the authority having jurisdiction. Air compressor tanks and other air receivers used in connection with air compressors shall have the maximum allowable working pressure conspicuously marked thereon. All pressure vessels such as air compressor tanks and air receivers shall comply with CSA Standard B51, Code for the Construction and Inspection of Boilers and Pressure Vessels.

BIBLIOGRAPHY

Standards and General Codes suitable for reference and application for the engineering design, construction, maintenance and operation of amusement rides and temporary structures are listed below:

CSA STANDARDS

- A23.1-1967, Concrete Materials and Methods of Concrete Construction;
- A23.3-1970, Code for the Design of Plain and Reinforced Concrete Structures;
- G4-1967, Steel Wire Rope: General Purpose;
- G40.1-1971, General Requirements for Delivery of Steel Plates, Sheet Piling and Bars for Structural Use;
- G40.4-1959, Medium Structural Steel;
- O86-1970, Code of Recommended Practice for Engineering Design in Timber;
- O122-1969, Structural Glued-Laminated Timber;
- O177-1965, Qualification Code for Manufacturers of Structural Glued-Laminated Timber;
- S16-1969, Steel Structures for Buildings;
- S157-1969, The Structural Use of Aluminum in Buildings;
- W47-1947, Welding Qualification Code for Application to Fabricating and Contracting Firms;
- W59.1-1970, General Specification for Welding of Steel Structures (Metal-Arc Welding);

GENERAL CODES

- National Building Code of Canada
- CITC* Timber Construction Manual
- NFPA† Publication-Wood Structural Design Data
- CUA‡ Standard 30
- Flammable and Combustible Liquids Code

* *Canadian Institute of Timber Construction*

† *National Forest Products Association*

‡ *Canadian Underwriters' Association*

April 18, 1979

To the Mayor and Aldermen:

The Finance & Accounts Committee reports and recommends:

1. That List of Accounts No. 3, dated March, 1979 for expenditures incurred under proper authorization, in the amount of \$4,975,273.94 be approved.

(NOTE: A copy of the List was distributed to all members of Council.)

2. That as the City Solicitor has indicated that the preparation of clear, concise, collective agreements would remove the necessity of arbitrations, and that the wording of collective agreements is the real problem, the following resolution of the City of Sarnia NOT be endorsed:

"WHEREAS the present arbitration system has no guidelines under which an arbitrator must have his decision and

WHEREAS at one time arbitration involved mostly monetary issues, but have since expanded into areas such as management rights, layoff clauses and technological change clauses, etc. and

WHEREAS Labour Minister R. Elgie made the following statement:

"A system of collective bargaining involving discussions beyond monetary issues is outmoded and destructive" and

WHEREAS many present arbitrators are judges or professors at Universities and some have not had experience at managing finances, personnel matters or union contracts in either the private or public sector.

THEREFORE, BE IT RESOLVED that the Provincial Government through the Minister of Labour be requested to:

- *Establish criteria and a framework with which arbitration boards may deal and*
- *Establish appropriate criteria for individuals who may be appointed as arbitrators".*

3. That as recommended by the Board of Management for the Grand Theatre the renovations contract with Emmons and Mitchell Limited be amended to provide that repairs to the roof at a cost of \$14,334.24 and repairs to the boiler at a cost of \$5,466.21, be effected and that Mr. Thomas Mill, Architect, be retained to supervise the work at a fee of 12% of the repair costs, i.e., \$2,374.00

- and further -

that the amount of \$1,854.45 which is the amount in excess of the budgeted figure of \$20,300.00 for this work be obtained from the contract contingency.

3. (Cont'd)

NOTE: Repair Costs for roof and boiler	\$19,780.45
Architect's fee of 12% of repair costs	<u>2,374.00</u>
	22,154.45
Budgeted figure (1979 Budget)	<u>20,300.00</u>
To be obtained from the Contract Contingency	<u>\$ 1,854.45</u>

4. That the 1979 Budget of the Kingston Bureau of Tourism in the amount of \$67,000 be approved and that the City Treasurer be authorized to advance the City's share of \$40,000 as required, it being noted that an amount of \$20,000 has already been advanced.

(NOTE: The 1979 Budget provides \$40,000 for this purpose.)

5. That, as recommend by the Public Works Committee and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of a curb, gutter and boulevard on the west side of Montreal Street, from Russell Street to 105 feet south of Railway Street, under the provisions of Section 7 of the Local Improvement Act as follows:

Total estimated cost	\$11,000.00
Owners' share	1,233.26
Anticipated MTC subsidy	4,550.60
City's share	5,216.14
Debenture Amount	6,449.40

- and further that -

the 1979 Capital Budget be amended as follows:

	<u>Decrease</u>	<u>Increase</u>
<u>Local Improvements</u>		
Reconstruction of Miscellaneous Roads	\$6,449.40	-
<u>Local Improvements</u>		
Construction of curb, gutter and boulevard, west side of Montreal St. to 105 feet south of Railway St.	-	\$6,449.40

(See By-Law 10: No. 79-85)

6. That as recommended by the Chief Administrative Officer and the Director of Personnel, a salary increase of 8% be awarded to non-union persons in groups 14-10 and under as follows, as it is believed that this salary increase will not affect negotiations presently being undertaken with Local 109 and this is the same increase to non-union staff in similar categories as to persons in Local 141, inside workers, who have already received this increase.

6. (Cont'd)

Four Secretary 2 positions	- Group No. 8.06
Payroll Clerk	- Group No. 8.06
Mayor's Secretary	- Group No. 7.05
Law Student	
Typist - Personnel	
Department	- Group No. 5-04
Two employees Sewage	
Treatment Plant	- Group No. 13-9
NIP Co-ordinator and	
Housing Information	
Officer	- Group No. 12-8
Three Technologists	- Group No. 14-10
Director of Development	
and Revenue	- Group No. 14-10
Building Maintenance	
Supervisor	- Group No. 11-7
Site Supervisor	- Group No. 12-8
Supervisors -	
Social Services	- Group No. 9-07
	- Group No. 8-06
Food Supervisor -	
Rideaucrest	- Group No. 9-05
Building Maintenance	
Supervisor - Rideaucrest	- Group No. 9-05
Secretary - Industrial	
Commission	- Group No. 7-05
Clerk V	- Group No. 11-7
Accounting Supervisor	- Group No. 14-10
Deputy Administrator	
Rideaucrest	- Group No. 13-9
Tax Collector	- Group No. 13-9
Assistant to Administrator	
Social Services	- Group No. 12-8

(NOTE: 1969 budget provides for an 8% increase to non-union persons, group 14-10 and under.)

7. WHEREAS the decision of the Land Compensation Board with regard to the expropriation of property owned by Basil D. Keane and Clair Z. Keane has been received;

AND WHEREAS, the Board has ordered the City to pay to the claimants the sum of \$36,000, together with interest in the said amount of \$36,000, or in such part thereof as shall from time to time, remain outstanding at the rate of 6% per annum, computed from March 4, 1974;

AND WHEREAS, Mr. R.R. MacDougall, the Toronto Solicitor has notified that he will be contacting the City with regard to the possibility of appealing this decision;

AND WHEREAS, the City Solicitor has recommended that as the claim for the disturbance of \$75,000 based upon loss of value of the hotel premises was dismissed and Mr. MacDougall has indicated that should the City appeal the land value the claimant would likely appeal the disposition of the claim for disturbance;

7. (Cont'd)

THEREFORE BE IT RESOLVED that the City of Kingston NOT appeal the decision of the Land Compensation Board with regard to the expropriation of the property owned by Basil D. Keane and Clair Z. Keane at the Portsmouth Olympic Harbour and that the balance owing of \$13,500 plus 6% interest from March 4, 1974 to April 23, 1979, i.e., \$4,132.19 for a total of \$17,632.19 be paid, it being noted that the City will be responsible for reasonable legal and appraisal costs as well.

8. That the City of Kingston execute a Quit Claim Deed to Donald J. MacPhee retaining an easement over the southerly 5 feet of Lot 82, Registered Plan 1255 for a sanitary and storm sewer and that the Mayor and City Clerk are hereby authorized to sign the Quit Claim Deed.

NOTE: This arises from a requisition on title whereby the wording was ambiguous as to whether the City initially received an easement of the 5 feet or the title to the 5 feet. All that was intended was that the City receive an easement and the Quit Claim Deed will so indicate. Lot 82, Registered Plan 1255, is located at 125 Fairway Hills Crescent.)

Respectfully submitted,

Chairman

UNFINISHED BUSINESS

BY-LAWS

- (A) That By-Laws 1 to 10 and 12 to 16 be given their First & Second Readings.
- (B) That By-Law 11 be given its Second Reading.
- (C) That Rule No. 35 of By-Law 1 be suspended for the Purpose of Giving By-Laws 12 to 16 their Third Reading.
- (D) That By-Laws 12 to 20 be given their Third Reading.

* * *

- (1) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act". (Clause 4, Report No. 44)

(FIRST & SECOND READINGS)
Clause 4, Report No. 44, 1979)

(PROPOSED NO. 79-76)

(Note: Ministry of Transportation Approval is NOT Required)

- (2) A By-Law to Amend By-Law No. 8, "A By-Law to Provide for the Licensing and Regulation of Dogs and Cats and for the Control of Animals Suspected of Having Rabies". (Penalty for Cats at Large).

(FIRST & SECOND READINGS)
Clause 7, Report No. 44, 1979

(PROPOSED NO. 79-77)

- (3) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of Such Parking Meters". (Clause 9, Report No. 44)

(FIRST & SECOND READINGS)
Clause 9, Report No. 44, 1979)

(PROPOSED NO. 79-78)

- (4) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act". (Clause 9, Report No. 44)

(FIRST & SECOND READINGS)
Clause 9, Report No. 44, 1979

(PROPOSED NO. 79-79)

(NOTE: Ministry of Transportation Approval is Required).

- (5) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots". (Gorsline Parking Lot - Additional Metered Area).

(FIRST & SECOND READINGS)
Clause 9, Report No. 44, 1979

(PROPOSED NO. 79-80)

BY-LAWS (Cont'd)

- (6) A By-Law to Change the Name of the Highway known as "Green Drive" in the City of Kingston to "Greenview Drive".

(FIRST & SECOND READINGS)
Clause 10, Report No. 44, 1979

(PROPOSED NO. 79-81)

- (7) A By-Law to Amend By-Law No. 1998, "A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours". (Revise Regulations for Period June 1 to September 30).

(FIRST & SECOND READINGS)
Clause 1, Report No. 45, 1979

(PROPOSED NO. 79-82)

- (8) A By-Law to Amend the Official Plan of the City of Kingston Planning Area. (Amendment No. 1: Industrial Park, North of Counter Street).

(FIRST & SECOND READINGS)
Clause 1, Report No. 46, 1979

(PROPOSED NO. 79-83)

- (9) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone Industrial Area north of Counter Street and West of Division Street to Industrial Zone M, M.94, M.96 and FP).

(FIRST & SECOND READINGS)
Clause 1, Report No. 46, 1979

(PROPOSED NO. 79-84)

- (10) A By-Law to Authorize the Construction of a Curb, Gutter, and Boulevard on the West Side of Montreal Street, from Russell Street to 105 feet South of Railway Street, Under the Provisions of Section 7 of The Local Improvement Act (Petition)

(FIRST & SECOND READINGS)
Clause 5, Report No. 49, 1979

(PROPOSED NO. 79-85)

- (11) A By-Law Respecting Smoking in the City of Kingston.

(SECOND READING)
Clause 2, Report No. 45, 1979
and Clause 4, Report No. 23,
1979

(PROPOSED NO. 79-26)

- (12) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets". (Banner-Girl Guides of Canada Meeting on May 4 to 6, 1979).

(THREE READINGS)
Clause 11, Report No. 44, 1979

(PROPOSED NO. 79-86)

- (13) A By-Law to Amend By-Law No. 14, "A By-Law Relating to Sewers and Drains". (Storm Water Drain Connection - Donald Gordon Centre - Queen's University).

(THREE READINGS)
Clause 1, Report No. 47, 1979

(PROPOSED NO. 79-87)

BY-LAWS (Cont'd)

- (14) A By-Law to Amend By-Law No. 21, "A By-Law Fixing the Rental to be Paid for Memorial Hall, Committee Rooms and Council Chamber". (Clauses 1 and 2, Report No. 48).
- (THREE READINGS) (PROPOSED NO. 79-88)
Clauses 1 and 2, Report No. 48, 1979
- (15) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation Use of Parks and Recreational Facilities of The Corporation". (Add Club Storage Rates for Belle Park Fairway).
- (THREE READINGS) (PROPOSED NO. 79-89)
Clause 4, Report No. 48, 1979
- (16) A By-Law to Confirm the Proceedings of Council at its Meeting Held on April 23, 1979.
- (THREE READINGS) (PROPOSED NO. 79-90)
City Council Meeting No. 16, 1979
- (17) A By-Law to Amend By-Law No. 9111, "A By-Law to Authorize the Construction of a 42 Inch Storm Sewer in Concession Street from Division Street to 72 Feet West of Alfred Street and a 15 Inch Storm Sewer in Alfred Street from Concession Street Northerly 48 Feet Under the Provisions of Section 7 of The Local Improvement Act. (Petition)" (Increase Cost).
- (THIRD READING) (PROPOSED NO. 79-52)
Clause 16, Report No. 37, 1979
- (18) A By-Law to Regulate and Control Eating or Drinking Establishments in the City of Kingston.
- (THIRD READING) (PROPOSED NO. 79-65)
Clause 2, Report No. 39, 1979
- (19) A By-Law to Adopt a New Official Plan for the City of Kingston Planning Area and to Repeal the Old Official Plan for the City of Kingston Planning Area. (Metric Consolidation).
- (THIRD READING) (PROPOSED NO. 79-67)
Clause 3, Report No. 41, 1979
- (20) A By-Law to Amend By-Law No. 5992, "A By-Law to Authorize the Execution of an Agreement with the Corporation of the County of Frontenac and the Corporation of the County of Lennox and Addington (District Health Unit)". (Increase Membership and Revise Method of Determination of Population of County of Frontenac).
- (THIRD READING) (PROPOSED NO. 79-68)
Clause 9, Report No. 43, 1979

MOTIONS



MAY 16 1979

CITY COUNCIL MEETING NO. 16

The Regular Meeting of City Council was held in the Council Chamber, City Hall, on Monday, April 23, 1979, at 8:10 p.m. His Worship Mayor Keyes Presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements (arrived at 8:15 p.m.) Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (15).

TABLING OF DOCUMENTS

(1) From Throne Riddell & Co., Chartered Accountants, copies of the financial statements of "Rideaucrest" Home for the Aged of the City of Kingston for the fiscal year ended December 31, 1978, together with Auditor's report thereon.

(2) Annual Report of the Operations of the Kingston Fire Department for the year 1978, submitted by Fire Chief K.A. Cowdy.

(Note: A copy was distributed to each member of Council).

MINUTES

Moved by Ald. McArthur,
Seconded by Ald. Miller,

That the Minutes of City Council Meeting No. 15 held on April 9, 1979 be adopted as printed. CARRIED

COMMUNICATIONS

Council consented to the addition of Communications 259-261.

Referred to the Finance and Accounts Committee

(250) From the Regional Municipality of Niagara requesting that their following resolution be endorsed:

"WHEREAS governments at all levels are experiencing a reduction in their revenue growth; and

WHEREAS this has led to expenditure restraint on many essential programs; and

WHEREAS the Province's involvement in lottery operations continues to increase; and

WHEREAS the revenue from such lotteries has in the main been directed to recreational and cultural programs; and

WHEREAS these types of programs have been termed by both the Treasurer of Ontario and the Ontario Municipal Board as being 'less essential' in capital financing priorities;

THEREFORE the Council of the Regional Municipality of Niagara resolves as follows:

a) That the Province of Ontario reconsider its policy with regard to the present use of lottery revenues with a view to directing such revenues into programs of higher municipal and provincial priority."

COMMUNICATIONS (Cont'd)

Referred to the Finance & Accounts Committee

- (251) From the Liquor Licence Board of Ontario notifying of request for permission for an additional licensed club-lounge facilities at:

The Royal Canadian Horse Artillery,
 Brigade Association,
 193 Ontario Street,
 KINGSTON, Ontario
 Licence No. 040005

Filed

- (252) From the National Youth Orchestra of Canada thanking the City of Kingston for their grant of \$750.

Which Had Been Referred to the City of Kingston Planning Board and the Transportation Committee

- (253) From Dacon Corporation Limited requesting that the name of Green Drive be changed to Greenview Drive.

Filed

- (254) From the Cataraqui Region Conservation Authority, submitting their Financial Statements for the year ended December 31, 1978.

- (255) Copy of the Minutes of the Cataraqui Region Conservation Authority Executive Committee Meeting held on March 28, 1979.

- (256) From the Ministry of the Environment approving By-Law No. 9309, "A By-Law of the Corporation of the City of Kingston to Control Noise". Effective date is March 23, 1979.

- (257) Statement of Revenue and Expenditures for the month of February, 1979, from the Public Utilities Commission of the City of Kingston, Transit Department, showing the following deficits:

	1979 Budget <u>Estimates</u>	1979 to <u>date</u>	Month of February <u>1979</u>	1978 to <u>Date</u>
Operating Deficit:	\$833,443	\$105,273	\$52,359	\$68,465
Debentures:	<u>27,645</u>	<u>4,608</u>	<u>2,304</u>	<u>4,615</u>
Total:	<u>\$861,088</u>	<u>\$109,881</u>	<u>\$54,663</u>	<u>\$73,080</u>

COMMUNICATIONS (Cont'd)

Filed

- (258) From the Kingston Area Planning Board notifying that at its next meeting the Board will be having a discussion regarding solid waste management in the Kingston Area. Representatives from the Ministry of the Environment, Tricil Limited and the Works Departments of the City of Kingston and the Township of Kingston will be present to provide information on this subject.

All members of Council are invited to attend this meeting at 7 p.m. on Thursday, April 26 at City Hall, Kingston.

Referred to the City of Kingston Planning Board

- (259) From Maria Speal, 119 Colbourne Street voicing her objection to the rezoning of 211 Division Street by By-Law 79-15.

This objection was received April 20, 1979. The last day for filing objections was April 17, 1979.

Filed

- (260) From Mr. R.J. Hamilton, C.A.O., submitting a copy of a memorandum from the City Solicitor, and recommending, if Council wishes to give second reading to proposed By-Law No. 79-26, "A By-Law Respecting Smoking in the City of Kingston" that, during discussion of Clause 2, Report No. 45, sections 4, 10, 14, 19, 23, 27, 31, 35 and 41 should be deleted from the By-Law.

(Note: Copy of Mr. Hamilton's communication was distributed to each member of Council).

- (261) Copy of letter from Speal, Viner & Kennedy, Solicitors for Campeau Corporation to the Ontario Municipal Board appealing the decision of City Council to disallow the original application of Campeau Corporation for a re-zoning of the approximately 29.6 acres of part of the south half of Lot 1, Plan 68, on east side of Division Street and north of Weller Avenue to "C2" and the City's decision to limit the size and scope of the original proposal.

(Note: Copy of letter distributed to each member of Council).

PETITIONS

- (1) From Radley, McNeely, Solicitors for Anshea Properties Limited and Mr. Ronald Pople, requesting that the allowance for North Street from Balaclava Street to Sydenham Street be closed and conveyed to the abutting property owners on the understanding:

1. That the abutting property owners would be responsible for selecting a qualified Ontario Land Surveyor to do the survey for the City and to pay the cost of the surveyor based upon the square footage ratio to the overall square footage of the entire site;
2. That the conveyances of the closed portions of North Street to the abutting property owners would have a conveyance term providing that the land conveyed by the City shall be lot additions only and that neither individual parcels nor a combination of parcels in North Street might be used to erect a dwelling unit, but that each property owner might enlarge his existing premises in concurrence with the zoning by-law if he so wishes.

REPORTS

Ald. Tarnowecky presented Report No. 44 of the Transportation Committee as follows:

Moved by Ald. Tarnowecky,
Seconded by Ald. Miller,

That Report No. 44 of the Transportation Committee be received and adopted clause by clause.

REPORT NO. 44

To the Mayor and Aldermen:

April 11th, 1979.

The Transportation Committee reports and recommends as follows:

1. That the account of Quintal & England Limited, in the amount of \$2,251.86 for roof repair work on Hangar No. 3, Kingston Tennis World, be paid.

NOTE: Funds are available in the 1979 Airport Building Maintenance Account for this purpose.

CARRIED

2. That the request to operate a horse drawn carriage tour service in the City of Kingston for the summer of 1979, from May 24th to the third week in September, be approved; and further, that a reduced half price charge of \$7.20 per week be levied for the carriage service to share the tour train curb space on the east side of Ontario Street across from City Hall.

NOTE: Section 33 of By-law 24 provides curb parking space for this request.

CARRIED

3. That the two accounts of A-1 Glass Company, in the amount of \$508.58 and \$120.00, for supply and installation of replacement glass in the Hanson garage, be paid.

NOTE: Several large glass panels smashed by vandals in the Hanson garage on the weekend of March 3rd and 4th were replaced. Funds are available in the 1979 Transportation Budget.

CARRIED

4. That a by-law be presented to Council to amend By-law 24 (Traffic) to provide that parking be prohibited on the east side of Macdonnell Street between Dundas and Park Streets.

NOTE: Parking is prohibited now between 8:00 a.m. and 4:00 p.m. on school days only.

REPORTS (Cont'd)

Report No. 44 - Transportation Committee (Cont'd)

5. That H.M.C.S. Cataragui be permitted to conduct a "Battle of the Atlantic" parade on Sunday, May 6th, 1979, commencing at 10:00 a.m.

NOTE: The parade will commence at the Kingston Armouries, proceed south on Montreal St., east on Princess Street, south on Ontario St. to Confederation Park, and return.

CARRIED

6. That application be made to the Canadian Transport Commission for a crossing of the railway to permit the extension of Orchard Street to Rideau Street, at the expense of the developer.

CARRIED

7. That a by-law be presented to amend By-law 8 (Dog Control), section 16(a), to provide a penalty for cats at large consistent with the penalty for dogs at large.

NOTE: By-law 8 prohibits cats at large but no penalty clause exists in the by-law for cats.

(SEE By-Law 2: No. 79-77)

CARRIED

8. That NO ACTION be taken on the request by some owners of older dogs that the licence fee for unneutered dogs past the age of reproduction be reduced to the fee applicable to neutered dogs, on submission of a letter from a veterinarian attesting to that fact.

NOTE: This is a minority report submitted on the request of Alderman Webb.

CARRIED

9. That a by-law be presented to amend By-law 24 (Traffic) By-law 495 (Parking Meters) and By-law 4489 (Parking Lots) to provide that 28 parking meters on Princess Street between Macdonnell and Tower Streets be relocated into the expanded Gorsline parking lot; and that parking be prohibited on Princess Street between Macdonnell and Tower Sts., to be effective from the opening date of the expanded Gorsline parking lot.

REPORTS (Cont'd)

Report No. 44 - Transportation Committee

9. Cont'd

NOTE: The opening date of the expanded Gorsline parking lot is anticipated to be July 1979 and will have a total capacity of 170 spaces.

(See By-Laws 3, 4 and 5: No. 79-78, 79-79 and 79-80)

REFERRED BACK TO THE TRANSPORTATION COMMITTEE

(See following motion of referral)

Moved by Ald. Hawkins,
Seconded by Ald. Gorham,

That Clause 9, Report No. 44, be referred back to the Transportation Committee.

CARRIED

10. That the name "Green Drive" be changed to "Greenview Drive".

NOTE: Subsequent to a previous request to change the name to "Apps Avenue", Dacon Corporation Limited requested that the name be changed to "Greenview Drive". The request was made originally to alleviate confusion resulting from a duplication of names in areas served by the Kingston Post Office. Area Planning Board confirms that the proposed name does not conflict with names of streets within their jurisdiction.

(See By-Law 6: No. 79-81)

CARRIED

11. That the Girl Guides of Canada be permitted to place a cardboard replica of the Girl Guide symbol at various entrances to Kingston (i.e., 401 & Division, Highways 2 and 15, etc.) and a welcome banner near the University to welcome the delegates to the Annual Provincial Meeting for Girl Guide Leaders, to be held May 4th, 5th and 6th, 1979.

(See By-Law 12: No. 79-86)

CARRIED

Respectfully submitted,

(Signed) Y. Tarnowecky (Chairman)
Lois E. Miller
J. Clark
John Clements
G.L. Webb

REPORTS (Cont'd)

Ald. Gerretsen presented Report No. 45 of the Community Services Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Report No. 45 of the Community Services Committee be received and adopted clause by clause.

REPORT NO. 45

April 12, 1979

To the Mayor and Aldermen:

The Community Services Committee reports and recommends as follows:

1. That By-Law No. 1998, 'A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours', be amended to provide that:
 - a) gasoline service stations shall remain open 24 hours per day, 7 days per week, during the period June 1 to September 30, providing a permit has been obtained;
 - b) gasoline service stations shall remain open from 7 a.m. to 10 p.m. on Sundays and 5 a.m. to 10 p.m. on weekdays during the period June 1 to September 30 each year, providing a permit has been obtained;
 - c) gasoline service stations may, alternatively, elect to maintain the presently permitted hours of 5 a.m. to 7 p.m. weekdays.
 - d) it is understood that applications for permits must be made by May 1st each year by owners, operators or managers of stations.

(See By-Law 7: No. 79-82)

CARRIED AS AMENDED

(See following Motion of Amendment)

Moved by Ald. Webb,
Seconded by Ald. Lampropoulos,

That Report No. 45, Clause 1, of the Community Services Committee be amended to delete from subsections (a) and (b) first sentence, the word "may" and substitute the word "shall".

CARRIED

REPORTS (Cont'd)

Report No. 45 - Community Services Committee (Cont'd)

2. That By-Law No. 79-26, 'A By-law to Prohibit Smoking in Public Places in the City of Kingston' be presented to Council for second reading.

(Note: A copy of the proposed by-law is attached hereto as Schedule 'A').

(See By-Law 11: No. 79-26)

REFERRED BACK TO COMMUNITY SERVICES COMMITTEE

(See following Motion of Referral)

Moved by Ald. Matthews,
Seconded by Ald. Tarnowecky,

That Clause 2, Report No. 45, be referred back to the Community Services Committee.

CARRIED

3. WHEREAS, in order to be able to participate fully in the life of our community, handicapped and elderly persons may have certain needs which require the attention of the City of Kingston; and

WHEREAS the Advisory Committee to Kingston City Council on the Needs of the Handicapped and Elderly has and continues to identify, discuss, investigate and make recommendations regarding the needs of the handicapped and elderly persons of Kingston;

THEREFORE BE IT RESOLVED THAT :

- a) the City of Kingston provide operational support and assistance to the Advisory Committee;
- b) the City of Kingston and all of its departments co-operate with the Advisory Council in its work;
- c) that one or more members of Council of the City of Kingston be appointed to the Advisory Council to serve as a liaison between City Council and the Advisory Council.

CARRIED

Respectfully Submitted,

(Signed) J.P. Gerretsen (Chairman)
J. Hawkins
Bill Bishop
W. Knapp
G. Webb

BY-LAW NO. 79-26

A BY-LAW RESPECTING SMOKING IN THE CITY OF KINGSTON

PASSED:

WHEREAS it has been determined that second-hand tobacco smoke (exhaled smoke and the smoke from idling cigarettes, cigars, and pipes) is a health hazard or discomfort for many inhabitants of the City of Kingston, and

WHEREAS it is desirable for the health, safety, and welfare of the inhabitants of the City of Kingston, to prohibit or regulate smoking, or both, in the City of Kingston, as in this by-law more particularly set out.

THEREFORE the Council of The Corporation of the City of Kingston enacts as follows:

1. In this by-law,

- (a) "City" means the City of Kingston;
- (b) "Retail shop" means a building or part of a building booth, stall or place where goods are exposed or offered for sale by retail, but does not include a place where the only trade or business carried on is that of a licensed hotel or tavern, victualling house or refreshment house, nor a place where the only trade or business carried on is that of the custom blending of tobaccos, or sale of tobaccos, pipes, cigars or smokers' sundries;
- (c) "service line" means an indoor line of two (2) or more persons awaiting service of any kind, regardless of whether or not such service involves the exchange of money, including but not limited to, sales, provision of information, transactions or advice and transfers of money or goods; and
- (d) "smoke" or "smoking" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;
- (e) "proprietor" means the person who ultimately controls, governs or directs the activity carried on within the kinds of premises referred to in this by-law and includes the person actually in charge thereof;
- (f) "reception area" means the public space used by an office or establishment for the receiving or greeting of customers, clients or other persons dealing with such office or establishment

RETAIL SHOPS

2. No person shall smoke in any retail shop except in a part thereof used as a restaurant, lunch counter, hairdressing parlour, barber shop, rest room or a part used as offices for members of the staff.

3. The proprietor of every retail shop shall ensure that sufficient number of signs as prescribed by section 43 hereof or otherwise by this by-law permitted, shall be prominently displayed so as to be clearly visible from all parts of each floor to which section 2 applies.

4. (i) The proprietor of any retail shop, shall make reasonable efforts to prevent smoking in violation of this by-law and shall, without limiting the generality of the foregoing

(a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance;

(b) instruct employees who observe any person in the retail shop smoking in violation of this by-law, to request such person to stop smoking at once, to refuse to serve such person if that person continues to smoke, and finally, if such person refuses to stop smoking, to report such refusal to the proprietor upon the premises.

(ii) When a proprietor upon the premises observes a contravention of section 2 or receives the report referred to in paragraph (b) of subsection (i) of this section, he shall request such person to stop smoking at once, shall refuse to serve such person if that person continues to smoke and finally, if such person refuses to stop smoking, shall request such person to leave the premises.

5. Any proprietor who fails or neglects to perform any of the duties imposed by section 3 and 4 hereof shall be guilty of an offence, and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Justice

or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

HOSPITALS

6. (i) Subject to section 9, no person shall smoke in any patient care area in a hospital.

(ii) Subject to section 7, no person shall smoke in any area of a hospital (other than a patient care area) to which members of the public have access.

7. Smoking areas may be designated by the proprietor in the area referred to in subsection (ii) of section 6 hereof (exclusive of places in which smoking is prohibited by the Fire Marshal or by other law, by-law or regulation) provided not more than 50 per centum of the floor area of the area so referred to shall be so designated.

8. The proprietor shall ensure that signs designating areas as smoking or non-smoking where such signs are required or permitted by this by-law, shall be sufficiently and conspicuously posted so as to apply clearly to the areas so designated and in the case of signs indicating "no smoking" that such be in the form prescribed by section 43 or otherwise as permitted by this by-law.

9. (i) Notwithstanding the provisions of section 6 hereof, a patient may be permitted to smoke with written permission of the personal physician of such patient.

(ii) Where permission is granted under subsection (i) hereof, any patient who may be affected as a result thereof, may request non-smoking accommodation and upon such request shall be provided with such accommodation.

10. (i) The proprietor of any hospital shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing,

- (a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance;
- (b) instruct employees who observe any person in the hospital smoking in violation of this by-law, to request such person to stop smoking at once, and if such person continues to smoke, to arrange, if such person is a patient and capable of being moved, through the proprietor for such person to be so moved to a designated smoking area or to request, if such person is not a patient, such person to leave the premises forthwith and, if such person refuses to comply with the request, to report such refusal to the proprietor upon the premises.

(ii) When a proprietor upon the premises observes a contravention of section 6 of this by-law, or receives the report referred to in paragraph (b) of subsection (i) of this section, he shall request such person to stop smoking at once, and if such person continues to smoke, shall arrange (if such person is a patient and capable of being moved) for such person to be moved to a designated smoking area or (if such person is not a patient) require such person to leave the premises forthwith.

11. A proprietor who fails or neglects to perform any of the duties imposed by sections 8 and 10 hereof, shall be guilty of an offence, and shall upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

BANKS, FINANCIAL INSTITUTIONS AND MUNICIPAL OFFICES

12. No person shall smoke at any service counter in a bank, financial institution or municipal office.

13. In every bank, financial institution and municipal office referred to in section 12 hereof, the proprietor shall ensure that a sufficient number of signs as prescribed by section 43 hereof or otherwise permitted by this by-law, shall be conspicuously posted so as to refer clearly to the service counter referred to in section 12 hereof.

14. (i) The proprietor of any bank, financial institution or municipal office shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing,

- (a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance;
- (b) instruct all employees who observe any person on the premises smoking in violation of this by-law, to request such person to stop smoking at once, to refuse to serve such person if such person continues to smoke and, finally, if such person refuses to comply with the request, to report such refusal to the proprietor upon the premises.

(ii) The proprietor upon the premises who observes any person contravening section 12 of this by-law, or who receives the report referred to in paragraph (b) of subsection (i) of this section, shall request such person to stop smoking at once, shall refuse to serve such person if such person continues to smoke and, finally, if such person continues to smoke thereafter, shall require such person to leave the premises.

15. Any proprietor who fails or neglects to perform any of the duties imposed by section 13 and 14 hereof shall be guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

RECEPTION AREAS

16. No person shall smoke in any reception area in an establishment or an office.

17. Smoking areas in reception areas of establishments or offices (except for reception areas of offices where services relating to health care are performed) may be designated by the proprietor provided that areas so designated may not exceed more than 50 per centum of the reception floor area.

18. The proprietor of an establishment or office to which section 16 applies shall ensure that signs designating areas as smoking or non-smoking where required or permitted by this by-law shall be sufficiently, and conspicuously posted so as to apply clearly to the areas so designated and in the case of signs indicating "no smoking" that such be in the form prescribed by section 43 or otherwise as permitted by this by-law.

19. (i) The proprietor referred to in section 18 shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing,

(a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance.

(b) instruct all employees who observe any person in the reception area smoking in violation of this by-law, to request such person to stop smoking at once, to refuse to serve such person if such person continues to smoke, and, finally, if such person refuses to stop smoking to report such refusal to the proprietor upon the premises.

(ii) When a proprietor upon the premises observes the report referred to in paragraph (b) of subsection (i) of this section, he shall request such person to stop smoking at once, shall refuse to serve such person if such person

tinues to smoke and, finally, if such person refuses to stop smoking shall require such person to leave the premises.

20. Any proprietor who fails or neglects to perform any of the duties imposed by sections 18 and 19 hereof, shall be guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

ELEVATORS AND ESCALATORS

21. (i) Subject to subsection (ii), no person shall smoke in an elevator or on an escalator in any building or part thereof.

(ii) Subsection (i) does not apply to elevators, escalators or similar devices to which The Elevators and Lifts Act, R.S.O. 1970, Chapter 143, as amended from time to time does not apply.

22. The proprietor of any building or part thereof to which section 21 applies shall ensure that a sufficient number of signs as prescribed by section 43 hereof or otherwise permitted by this by-law shall be sufficiently and conspicuously posted so as to apply clearly to the areas regulated by the said section.

23, (i) The proprietor referred to in section 22 shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing,

(a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law to assist the proprietor in achieving compliance;

(b) instruct employees who observe any person smoking in violation of section 21 to request such person to stop smoking at once, 380

and if such person continues to smoke thereafter to report such refusal to the proprietor upon the premises;

(ii) When a proprietor upon the premises observes a contravention of section 21 or receives the report referred to in paragraph (a) of subsection (i) of this section, he shall request such person to stop smoking at once and should such person refuse to stop smoking, require such person to leave the premises.

24. Any proprietor who fails or neglects to perform any of the duties imposed by section 22 and 23 hereof shall be guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

SERVICE LINE

25. No person shall smoke in any service line on any premises.

26. The proprietor of any premises to which section 25 applies shall ensure that a sufficient number of signs as prescribed by section 43 hereof or otherwise permitted by this by-law shall be prominently displayed so as to be clearly visible to persons in the service line.

27. (i) The proprietor referred to in section 25 hereof shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing,

(a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance.

(b) instruct all employees who observe any person on the premises smoking in violation of this by-law, to request such person to stop smoking at once, to refuse to serve

such person if such person continues to smoke and, finally, if such person refuses to comply with the request, to report such refusal to the proprietor upon the premises.

(ii) The proprietor upon the premises who observes any person contravening section 25 of this by-law, or who receives the report referred to in paragraph (b) of subsection (i) of this section, shall request such person to stop smoking at once, shall refuse to serve such person if such person continues to smoke and, finally, if such person continues to smoke thereafter, to require such person to leave the premises.

28. Any proprietor who fails or neglects to perform any of the duties imposed by sections 26 and 27 hereof, shall be guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

SCHOOL BUSES

29. (i) No person shall smoke in a school bus.

(ii) "School Bus" means any vehicle used for transporting children.

30. In every school bus, the proprietor shall ensure that a sufficient number of signs as prescribed by section 43 hereof or otherwise permitted by this by-law, shall be prominently displayed so as to be clearly visible from all parts of the school bus.

31. (i) The proprietor of a school bus shall make reasonable efforts to prevent smoking therein and shall without limiting the generality of the foregoing

- (a) take all reasonable steps to ensure employees are familiar with the provisions of this by-law in order to achieve compliance;
- (b) instruct drivers who observe any person smoking in a school bus to require such person to stop smoking at once.

(ii) Nothing in subsection (i) hereof relieves the driver of a school bus of his duties as proprietor under subsection (iii) hereof where such driver falls within the definition of proprietor under this by-law.

(iii) A proprietor on the school bus who observes any person smoking shall require such person to stop smoking at once.

32. Any proprietor who fails or neglects to perform any of the duties imposed by sections 30 and 31 hereof shall be guilty of an offence and shall upon conviction thereof, forfeit and pay at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

RESTAURANTS

33. (i) "No Smoking" areas may be designated by the proprietor of a restaurant in areas exclusive of those in which smoking is already prohibited by Order of the Fire Marshal or by other order, regulation or by-law.

(ii) When a proprietor designates a "no smoking area" under subsection (i), he shall

- (a) post signs which designate the "no smoking" area in a conspicuous location in the area so designated, and,
- (b) arrange seating to provide a smoke-free area.

34. No person shall smoke in an area designated as "No Smoking" pursuant to section 33 hereof.

35. (i) The proprietor of any restaurant which provides a "no smoking" area shall make reasonable efforts to prevent smoking in violation of this by-law and shall without limiting the generality of the foregoing

(a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance;

(b) instruct employees who observe any person contravening section 34 to request such person to stop smoking at once, to refuse to serve such person if that person continues to smoke and, finally, if such person refused to stop smoking to report such refusal to the proprietor upon the premises.

(ii) When a proprietor upon the premises observes any person contravening section 34 or receives the report referred to in paragraph (b) of subsection (i) of this section, he shall request such person to stop smoking at once, shall refuse to serve such person if such person continues to smoke and, finally, if such person refuses to stop smoking shall require such person to leave the premises.

36. Every proprietor of a restaurant shall post a sign visible from the outside of the restaurant indicating whether or not the restaurant provides a "no smoking" area.

37. Any proprietor who fails or neglects to perform any of the duties imposed by subsection (ii) of Section 33, section 35 and section 36 hereof, shall be guilty of an offence and shall upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

THEATRES AND OTHER PLACES OF PUBLIC ASSEMBLY

38. Subject to section 39, no person shall smoke in any enclosed indoor area being used as a place of public assembly.

39. (i) The proprietor of a place of assembly referred to section 38 may designate an area not to exceed 50 per centum the total floor area of such place of assembly as a smoking area and where so designated such area shall bear the sign "Smoking in this area only".

(ii) Where an area has been designated in accordance with subsection (i), smoking shall be permitted in such area.

40. The proprietor of premises to which sections 38 and 39 apply shall ensure that a sufficient number of signs as prescribed in section 43 hereof or otherwise permitted by this by-law shall be prominently displayed so as to be clearly visible from all parts of each floor to which such sections apply.

41. (i) The proprietor of a place of public assembly shall make reasonable efforts to prevent smoking in violation of by-law and shall without limiting the generality of the foregoing

(a) take all reasonable steps to ensure that employees are familiar with the provisions of this by-law so that they will be able to assist the proprietor in achieving compliance;

(b) instruct employees who observe any person contravening this by-law to request such person to stop smoking at once, to refuse to serve (if applicable) such person if that person continues to smoke and, finally, if such person refuses to stop smoking to report such refusal to the proprietor upon the premises.

(ii) When a proprietor upon the premises observes any person contravening this by-law or receives the report referred to in paragraph (b) of subsection (i) of this section, he shall request such person to stop smoking at once, shall refuse to serve (if applicable) such person if that person continues

smoke and, finally, if such person refuses to stop smoking shall require such person to leave the premises.

42. Any proprietor who fails or neglects to perform any of the duties imposed upon by sections 39, 40 and 41 shall be guilty of an offence and shall upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

SIGNS

43. (i) For the purpose of subsection (ii) hereof the letter height means the actual height of the letter regardless of whether it is a capital or lower case letter.

(ii) Where by a section of this by-law, a sign is to be in accordance with this section, such sign shall:

- (a) carry the text "No Smoking" in capital or lower case letter, or a combination thereof,
- (b) consist of two (2) contrasting colours, or if the lettering is to be applied directly to a surface or to be mounted on a clear panel, the lettering shall contrast to the background colour,
- (c) with respect to size of lettering, be not less than the following height
 - (1) ten (10') feet or less - letter height of one (1") inch,
 - (2) twenty (20') feet or less - letter height of two (2") inches,
 - (3) forty (40') feet or less - letter height of three (3") inches,
 - (4) eighty (80') feet or less - letter height of four (4") inches,
 - (5) one hundred and sixty (160') feet or less - letter height of six (6") inches, and
 - (6) two hundred and forty (240') Feet or less - letter height of eight (8") inches,
- (d) include in the text at the bottom of each sign "City of Kingston By-Law No. 79-26 Maximum Penalty \$1,000.00" in letters not less than one-half ($\frac{1}{2}$) of an inch in height for signs with letter size of one (1") inch, and not less than one-quarter ($\frac{1}{4}$) of the height of the letters on all other sizes of signs.

44. (i) Notwithstanding the provisions of Section 43 hereof one of the following graphic symbols may be used to indicate "no smoking areas". Each symbol shall include the text "City of Kingston By-Law No. 79-26, Maximum Penalty \$1,000.00" in letters and figures at least 5 percentum of the diameter of the circle in the symbol and there may be added appropriate symbols such as directional arrows. Any such symbol shall be on a white background with the circle and the interdictory stroke in red with a cigarette, letters and figures in black, provided such symbol complies with the other provisions of this section.

(ii) With respect to size of the graphic symbol, the diameter of the circle in the symbol referred to in subsection (i) hereof shall be not less than the number of inches prescribed below, based upon the maximum viewing distance in direct line of sight, as follows:

- (a) ten (10') feet or less - four (4") inches,
- (b) twenty (20') feet or less - six (6") inches,
- (c) forty (40') feet or less - eight (8") inches,
- (d) eighty (80') feet or less - twelve (12") inches,
- (e) one hundred and sixty (160') feet or less - sixteen (16") inches,
- (f) two hundred and forty (240') feet or less - twenty-four (24") inches,

(iii) Notwithstanding that the symbol in subsection (i) is a cigarette, it shall include a lighted cigar, cigarette, pipe or any other lighted smoking equipment.

PENALTY

45. Any person who smokes in contravention of this By-Law is guilty of an offence and shall upon conviction thereof, forfeit

and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

EFFECTIVE DATE

46. This by-law shall come into force on

CITY CLERK

MAYOR

REPORTS (Cont'd)

Ald. Gerretsen withdrew at 9:20 p.m. and returned at 9:21 p.m.
Ald. Knapp withdrew at 9:22 p.m. and returned at 9:25 p.m.

Ald. Timmins presented Report No. 46 of the City of Kingston Planning Board as follows:

Moved by Ald. Timmins,
Seconded by Ald. Clements,

That Report No. 46 of the City of Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 46

April 17, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

At the request of Ald. Hawkins, Council consented to the division of Clause 1 into two parts.

1. WHEREAS Planning Board has received and reviewed a report which analyzes Kingston's Industrial Park (Specific Area No. 12); and

WHEREAS this report recommends the establishment of a new consolidated industrial zone which would generally permit all types of industries and associated uses and include uniform building standards; and

WHEREAS this proposed zone would emphasize the use of the Environmental Protection Act and the Development Control process as a principal means of regulating new industrial development; and

WHEREAS the City has purchased approximately 68 hectares of land north of Counter Street for the purpose of accommodating industrial development; and

WHEREAS a portion of this acquired area south of the C.N.R. tracks is designated Residential and Recreation, Parks and Open Spaces in the Official Plan; and

WHEREAS in view of the City's decision to no longer support channelization of the Little Cataraqui Creek, and in order to assure that the City's policies complement the Conservation Authority's fill regulations, it is considered appropriate to designate as Hazard Lands the flood prone lands of the Little Cataraqui Creek valley lying between Counter Street and Dalton Avenue;

REPORTS (Cont'd)

Report No. 46 - Planning Board

Clause 1 (Cont'd)

THEREFORE BE IT RESOLVED that:

1. The Official Plan be amended so as to:
 - (a) Redesignate the Residential lands north of Counter Street as Industrial and include these lands in Specific Area No. 12 (Industrial Park),
 - (b) Designate the flood prone lands north of Counter Street as Hazard Lands and delete this area from Specific Area No. 12 (Industrial Park),
 - (c) Deleted.
 - (d) Introduce a policy authorizing the Committee of Adjustment to grant minor variances from the Zoning By-Law allowing uses which are similar to the listed permitted uses.

*CARRIED AS AMENDED
(Ald. Gorham opposed)
(See following Motion of Amendment)*

Moved by Ald. Hawkins,
Seconded by Ald. Gerretsen,

That Clause 1 of Report No. 46 be amended to delete subsection (c) which read as follows:

"Delete the Official Plan policies which suggest that the City will consider channelization of the Little Cataraqui Creek north of Counter Street".

*CARRIED 8:7
(See Recorded Vote)*

Ald. Hawkins requested a recorded vote on the Motion of Ald. Hawkins and Ald. Gerretsen which reads as follows:

YEAS: Ald. Bishop, Ald. Clark, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Matthews, Ald. McArthur, Ald. Tarnowecky. (8)

NEAS: Mayor Keyes, Ald. Clements, Ald. Knapp, Ald. Lampropoulos, Ald. Miller, Ald. Timmins, Ald. Webb. (7)

REPORTS (Cont'd)

Report No. 46 - Planning Board

1. (Cont'd)

2. Zoning By-Law No. 8499 be amended as follows:

(a) By adding as Section 31A the following:

"Section 31A: General Provisions for the Industrial Zone "M"

31A.2 Subject to compliance with the provisions of Section 5, the following provisions shall apply in M zones:

- (a) farms,
- (b) market gardens, horticultural nurseries or greenhouses if no retail stands or commercial structures are maintained in connection therewith,
- (c) any manufacturing, compounding, processing, treating, assembling, repairing and packaging establishment which is not obnoxious by reason of the emission of contaminants as defined in the Environmental Protection Act 1971 or its legal successor, and which has obtained a certificate of approval as required under the Act,
- (d) distributing plants, trucking or freighting terminals, wholesale businesses, storage yards, storage buildings and warehouses,
- (e) laboratories,
- (f) laundries and cleaners,
- (g) animal hospitals, kennels and shelters,
- (h) a watchman's quarters,
- (i) accessory buildings to any use permitted in M zone,
- (j) accessory uses which are clearly subordinate to a use permitted in the M zone

31A.3 The following regulations shall apply to lands, buildings, or structures erected in M zones:

- | | |
|------------------------|--------------------|
| (a) Maximum height | 13.5m |
| (b) Minimum front yard | 15m |
| (c) Minimum side yard | 7.5m |
| (d) Minimum rear yard | 7.5m |
| (e) Minimum lot area | 2200m ² |
| (f) Minimum lot width | 36.5m |
| (g) Minimum lot depth | 60m |

REPORTS (Cont'd)

Report No. 46 - Planning Board

Ald. Webb withdrew at 9:50 p.m. and returned at 9:55 p.m.

Ald. Tarnowewky withdrew at 9:55 p.m. and returned at 9:57 p.m.

1. (Cont'd)

2. (a) (Cont'd)

(h) Minimum lot coverage 60m

(i) for those uses listed in Section 31A.2(d), and similar uses, and similar uses, a minimum of 20% of the total lot area must be covered by buildings and/or a hard surface material such as concrete or asphalt.

(ii) for all other uses the Minimum Lot coverage shall be 20%.

(i) Off-street parking,

(j) Loading facilities,

(k) Any permitted yard used for storage shall be screened by a hedge, a brick or stone wall or painted fence not less than 1.8m in height so that the contents of that storage area will not be visible from any public roadway."

(b) By amending Zoning Maps No. 1, 2, 3, 8 9 and 10 so as to zone the area located north of Counter Street and east of Division Street M, M.94, M.96 and FP as shown on Schedules A, B, C, D, E, and F,

(c) By deleting Sections 94 and 96 in their entirety and replacing them with the following:

"94. On the approximately 0.8 ha parcel of land located on the south side of Dalton Avenue and designated M.94 on a copy of Zoning Map No. 2 attached to and forming part of By-Law No. as Schedule 'B', an automatic weigh scale with a front yard of 3m shall be a permitted use."

"96. On the approximately 12.34 ha parcel of land located on the north side of Counter Street west of Lappan's Lane and designated M.96 on a copy of Zoning Map No. 9 attached to and forming part of By-Law No. as Schedule 'E', the following uses shall also be permitted:

i. Reconditioning and selling of used machinery;

ii. Scrap ferrous and non-ferrous metal storage and processing.

The area to be used for scrap ferrous and non-ferrous metal outside storage shall be restricted to an area on the subject property north of a line 58m from Counter Street to be adequately screened with said screening to be satisfactory to the City."

REPORTS (Cont'd)

Report No. 46 - Planning Board

1. (Cont'd)

(2) (Cont'd)

- (d) By deleting Sections 87, 88, 89, 90, 93, 95 and 105 in their entirety.

(See By-Laws 8 and 9: No. 79-83 and 79-84)

REFERRED BACK TO PLANNING BOARD

(See following Motions to Amend, to Table, to Reconsider and to Refer)

Moved by Ald. Hawkins,
Seconded by Ald. Bishop,

That Clause 1, Report No. 46 be amended to delete from subsection (2) (a) (b) the following:

"if no retail stands or commercial structures are maintained in connection therewith".

REFERRED BACK TO PLANNING BOARD

(See following Motion of Referral by Ald. Gorham and Ald. Clements)

Moved by Ald. Clements,
Seconded by Ald. Gorham,

That Clause 1, Report No. 46, Subsection (2), be tabled until con-
ceptual plans are available.

WITHDRAWN

Moved by Ald. Gorham,
Seconded by Ald. Clements,

That Clause 1, Report No. 46, Subsection (2) and motion of Ald. Hawkins and Ald. Bishop to amend subsection (2) be referred back to the Planning Board with the request that the Chief Administrative Officer arrange a meeting with the Department Heads concerned to discuss this matter taking into account the comments made by the Council and a report be made to the Planning Board.

CARRIED

Moved by Ald. Knapp,
Seconded by Ald. Gorham,

That Clause 1, Report No. 46, Subsection (1) be reconsidered.

LOST 7:8

Ald. Clements withdrew at 10:10 p.m. and returned at 10:20 p.m.
Ald. Lampropoulos withdrew at 10:16 p.m.
Ald. Tarnowecy withdrew at 10:20 p.m.

REPORTS (Cont'd)

Report No. 46 - Planning Board

2. That the following plans, submitted by Bob Martin Construction Limited, for two apartment buildings located on the west Side of Queen Mary Road, north of Bath Road:
- Plan #1 - Site Plan - Scale: 1"-40' - Revised December, 1978
- Plan #LS1 - Landscaping - Scale: 1"-40' - January 1979
- Plan #3 - Ground Floor Plan - Building 'A' - Scale 1/8" - 1' - Nov. 30, 1978
- Plan #4 - Typical Floor Plan - Building 'A' - Scale 1/8"-1' - Nov. 30, 1978
- Plan #6 - Ground Floor Plan - Building 'B' - Scale 1/8"-1' - Nov. 30, 1978
- Plan #7 - Typical Floor Plan - Building 'B' - Scale 1/8"-1' - Nov. 30, 1978
- Plan #9 - East & West Elevations - Bldg. 'A' - Scale 1/8"-1' - Nov. 30, 1978
- Plan #10 South Elevation - Building 'B' - Scale 1/8"-1' - Nov. 30, 1978
- Plan #11 Elevations & Cross Sections - Bldgs. 'A' & 'B' - Nov., 1978
- be approved, subject to the owner entering into a development control agreement which shall include the following conditions:
- (a) that development shall be in accordance with the above listed plans;
 - (b) that all parking areas and vehicular access routes shall be paved;
 - (c) that the landscaping plan for the site associated with the most southerly building shall be implemented within one year of the issuance of the building permit; and that the landscaping plan for the site associated with the most northerly building shall be implemented within one year of the issuance of the building permit; and that a landscaping plan for the section of City owned land abutting the east boundary of the site shall be prepared by the City, submitted to the Grenville Park Housing Co-operative for approval, implemented by Bob Martin Construction Ltd. and maintained by the City;
 - (d) that interior layouts as shown on floor plans 3, 4, 6 and 7 are not subject to the requirements of development control;
 - (e) that the owner shall be responsible for construction to City and P.U.C. standards of the following services within Queen Mary Road from a point 180 feet north of Bath Road at the northerly limit of existing pavement, northerly to a point allowing for a connection to the most northerly entrance to the site:

REPORTS (Cont'd)

Report No. 46 - Planning Board

2. (e) (Cont'd)

- (i) curbs, gutters, boulevards and culvert;
- (ii) street lights;
- (iii) a sidewalk on the west side of Queen Mary Road;
- (iv) a 32 ft. wide pavement with a satisfactory transition from the existing 40 feet wide pavement;
- (v) a turning circle or T-junction at the northerly end of pavement;
- (vi) that the existing barrier located at the northerly end of Queen Mary Road pavement shall be relocated by the owner to a point at the northerly end of the proposed pavement or that a new barrier satisfactory to the City shall be constructed;
- (f) that a storm outlet from the new culvert in Queen Mary Road shall be constructed across the site to a ditch outlet on the west side of the site and that an easement in favour of the City shall be provided over the storm outlet;
- (g) that adequate on-site provision shall be made for drainage from the east which arrives at the northeast corner of the site;
- (h) that sanitary services shall be subject to a connection agreement with the City;
- (i) that the owner shall provide a deposit in the amount of 5% of the estimated cost of the City services on Queen Mary Road as extended and of the storm sewer outlet through the site, to provide for municipal inspection and resident supervision, including, without limiting the generality of the foregoing, inspection, testing and field survey, on the understanding that on completion, the actual direct charges for inspection and resident supervision shall be paid to the City from such deposit and any balance remaining shall be refunded to the owner by the City; where the actual direct charges exceed the 5% deposit then the amount by which such actual direct charges exceed such deposit shall be paid to the City forthwith upon receipt of an invoice from the City;
- (j) that garbage collection shall be arranged privately unless pick-up locations are provided to the City's satisfaction;
- (k) that the owner shall be responsible for the construction to P.U.C. standards of a 12" diameter watermain in Queen Mary Road, from a point 90.2m (296'±) northerly from Bath Road to a point 128m (420'±) northerly from Bath Road;

REPORTS (Cont'd)

Report No. 46 - Planning Board

2. (Cont'd)

- (l) that a fire protection system to the satisfaction of the P.U.C. and the Fire Chief shall be installed on the site, and shall include a 12" diameter and 8" diam. watermain and 1 or 2 fire hydrants, depending on the capacity of the water supply;
- (m) that fire department connections for standpipes shall be located at the front entrances on the Queen Mary Road side of the two buildings;
- (n) that access to the rear of the buildings shall be modified to allow fire apparatus to approach closer to the building;
- (o) that fire hydrants in Queen Mary Road as needed will be supplied by the Public Utilities Commission;
- (p) that the electrical supply will be from an underground system to be installed in Queen Mary Road by the Public Utilities Commission to a point 215m+ (705') north of Bath Road, with owner-installed concrete encased ducts from the P.U.C. duct system to transformer locations on the property;
- (q) that transformers shall be installed on the property either in vaults provided within the building or on external transformer pads;
- (r) that any primary cable required on the owner's property in excess of 21.3m (70 feet) or beyond the front wall of the building shall be at the owner's cost;
- (s) that the play lot at the northerly end of the development be separated from the parking area by a visually open fence of not more than 1m (3.3'+) in height;
- (t) that the design of exterior lighting shall be submitted to the City for approval, and that prior to approval shall be submitted to the Grenville Park Housing Co-operative for its approval;
- (u) that prior to issuance of a building permit grading and servicing designs to the satisfaction of the Commissioner of Works shall be submitted;
- (v) that prior to issuance of a building permit O.M.B. approval of by-law 9378 is required;
- (w) that prior to issuance of a building permit the right of access to the public street over the 1 ft. wide strip of land lying between the extension of Queen Mary Road and the subject site belonging to the Grenville Park Housing Co-operative shall be obtained;
- (x) that prior to issuance of a building permit approval of the Conservation Authority for any necessary fill permits shall be obtained.

CARRIED

REPORTS (Cont'd)

Report No. 46 - Planning Board

3. That Council does hereby reaffirm its intention to maintain the policy of the Official Plan and By-Law No. 8499 (Zoning By-Law), that the approximately 22 acre area north of the Bob Martin Construction development at Queen Mary Road and Bath Road (McKibbin Park) be maintained as public open space.

CARRIED

Ald. Lampropoulos returned at 10:21 p.m.

4. That the Cataraqui Region Conservation Authority be informed that Council endorses the fill permit application made by the Parks and Recreation Department of the City of Kingston, with respect to filling in McCullough Park.

CARRIED

5. That the Cataraqui Region Conservation Authority be informed that Council endorses the fill permit application made by the Public Works Department with respect to filling on City property in the industrial park (formerly the Clyde farm).

CARRIED

Ald. Tarnowecky returned at 10:30 p.m.

6. WHEREAS the matter of declining school enrolment has become an issue of public concern; and

WHEREAS the closure of schools in the City of Kingston is also of great concern, particularly in the downtown area;

THEREFORE BE IT RESOLVED THAT Council establish a study group to discuss the matter of school requirements for the City and the effect of declining enrolments on the municipality, such study group to be made up of representatives from:

- a) the City of Kingston Planning Board;
- b) City Council;
- c) Frontenac County Board of Education;
- d) Frontenac, Lennox & Addington County Roman Catholic Separate School Board

CARRIED 12:3
(See Recorded Vote)

Ald. Webb requested a recorded vote which was as follows:

REPORTS (Cont'd)

Report No. 46 - Planning Board

YEAS: Mayor Keyes, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Knapp, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowewky, Ald. Timmins, Ald. Webb (12).

NAYS: Ald. Bishop, Ald. Hawkins, Ald. Lampropoulos (3).

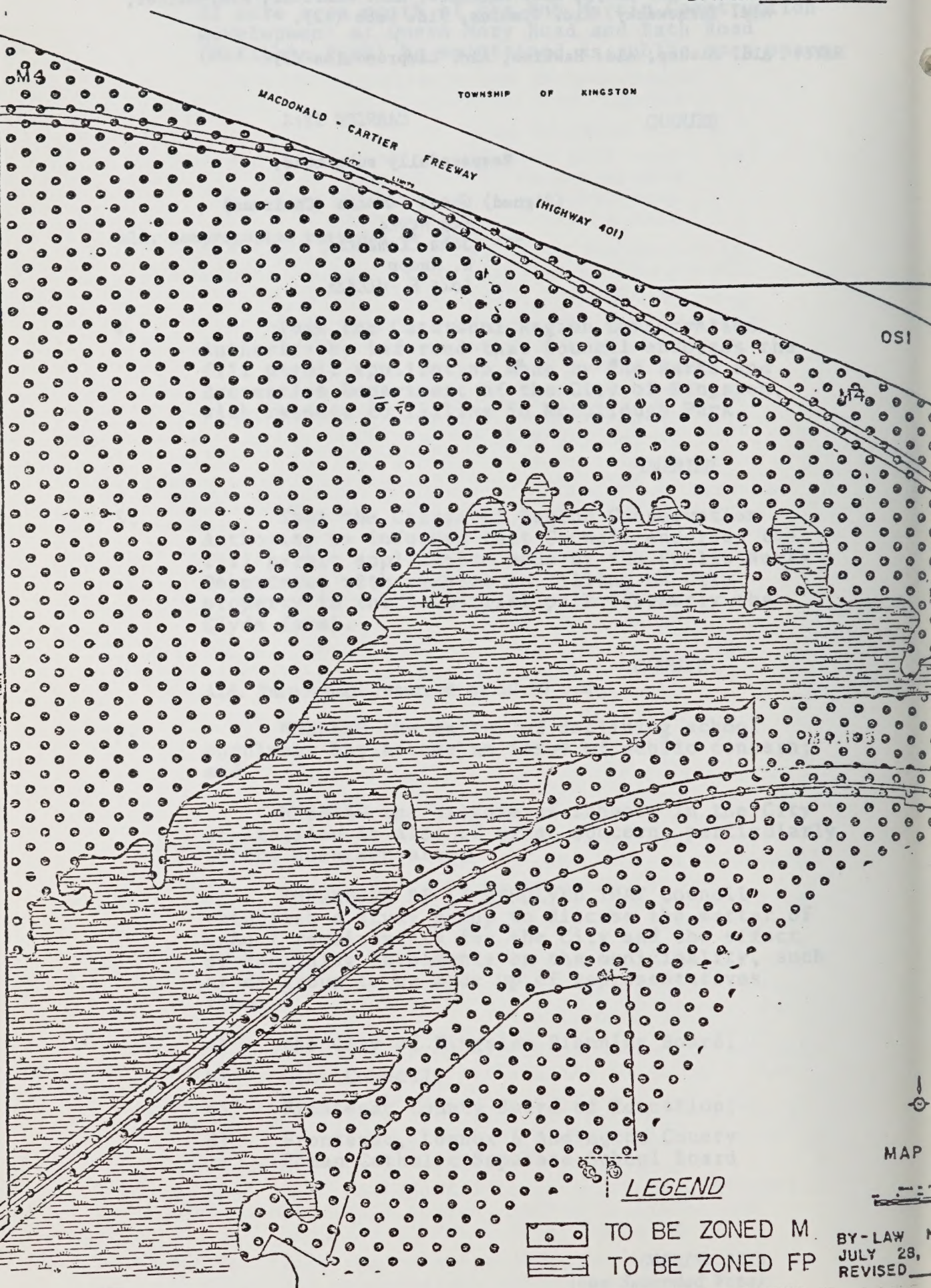
CARRIED 12:3

Respectfully submitted,

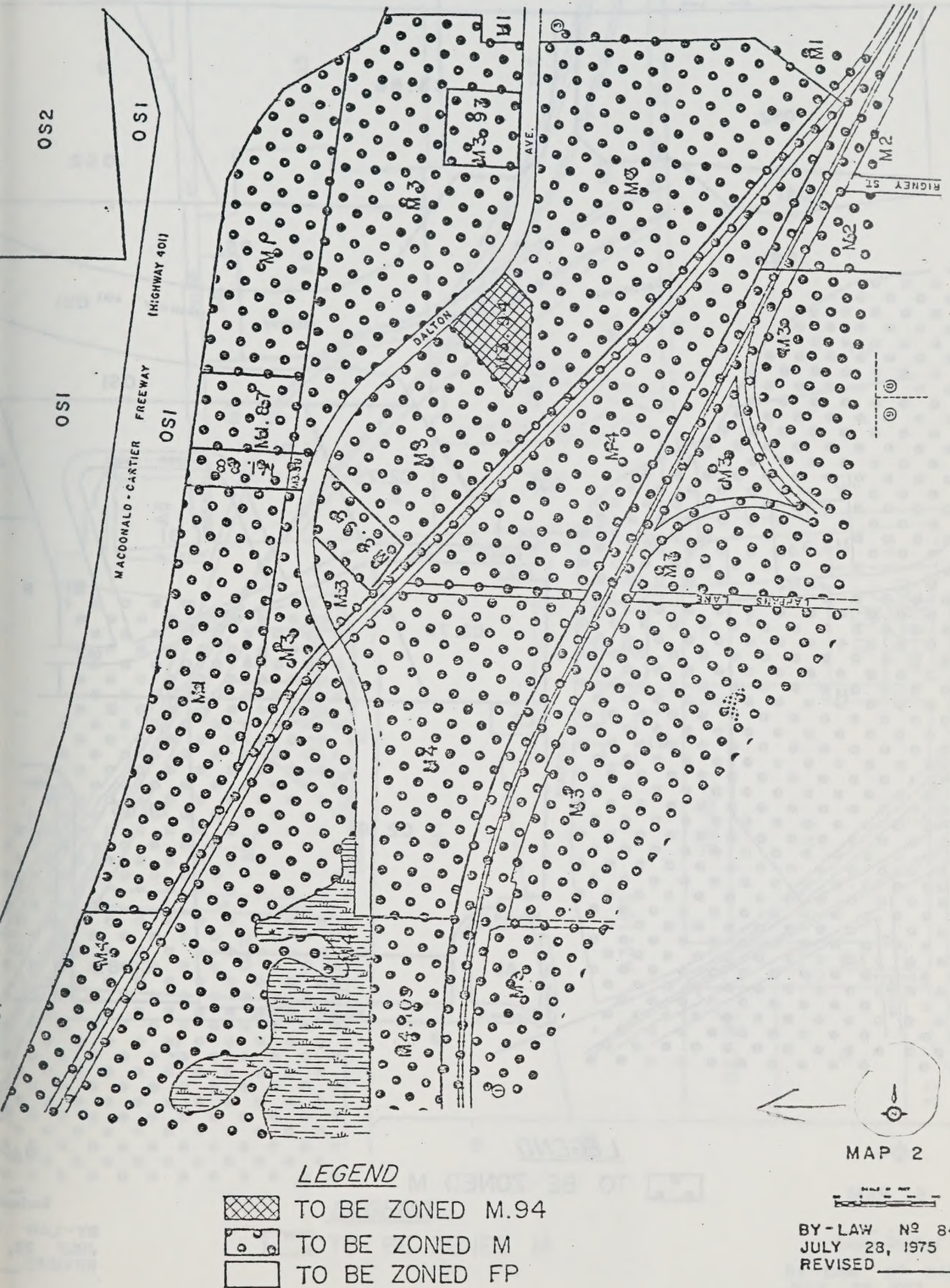
(Signed) Grant Timmins (Chairman)
Ken Keyes
John Clements
W. Knapp
Lois E. Miller

* * *

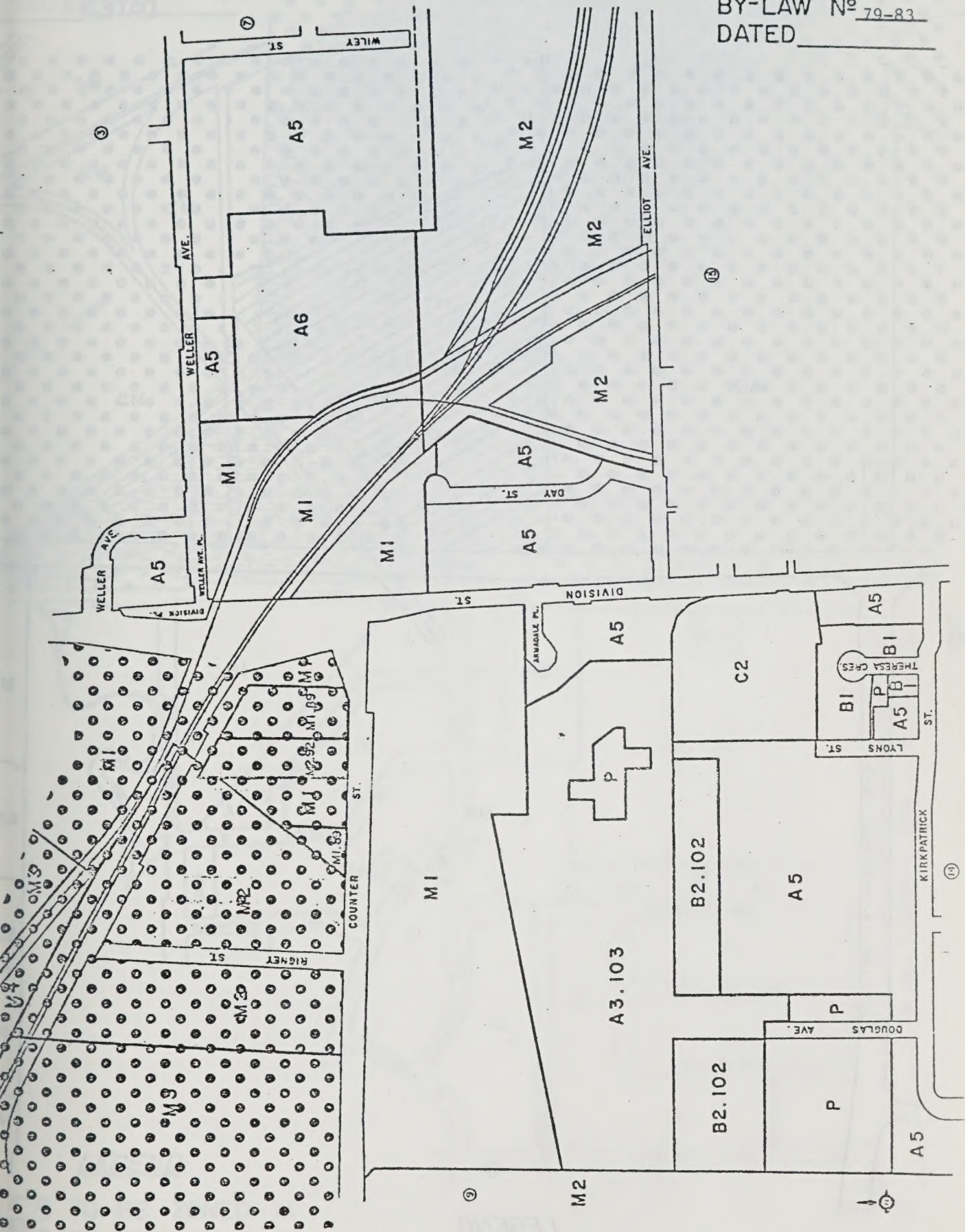
SCHEDULE 'A'
BY-LAW N^o 79-83
DATED _____



SCHEDULE 'B'
BY-LAW N^o 79-83
DATED _____



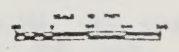
SCHEDULE 'D'
BY-LAW N^o 79-83
DATED _____



LEGEND

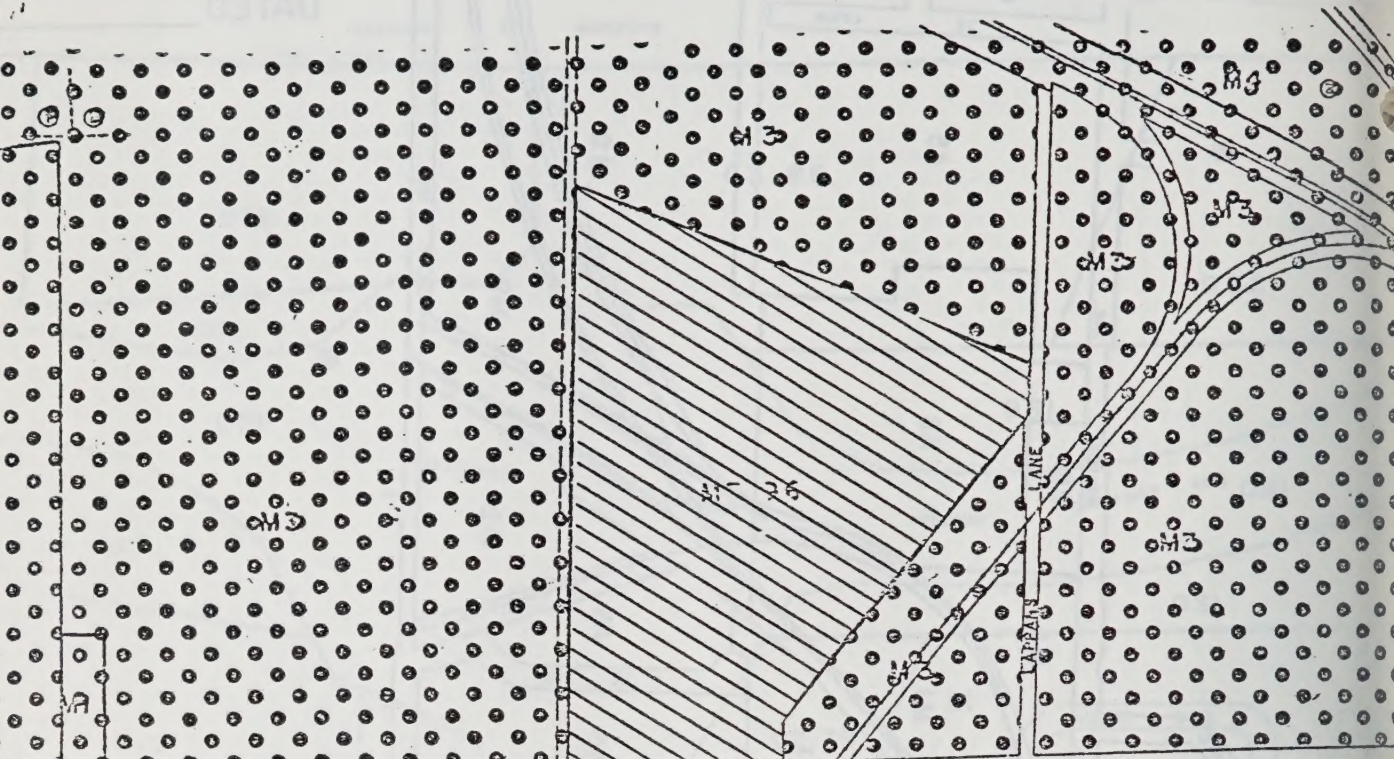
 TO BE ZONED M

MAP 8



BY-LAW N^o 8499
JULY 28, 1975

SCHEDULE 'E'
BY-LAW Nº 79-
DATED



COUNTER ST.

M2

SIR JOHN A. MACDONALD BLVD.

LEGEND



TO BE ZONED M

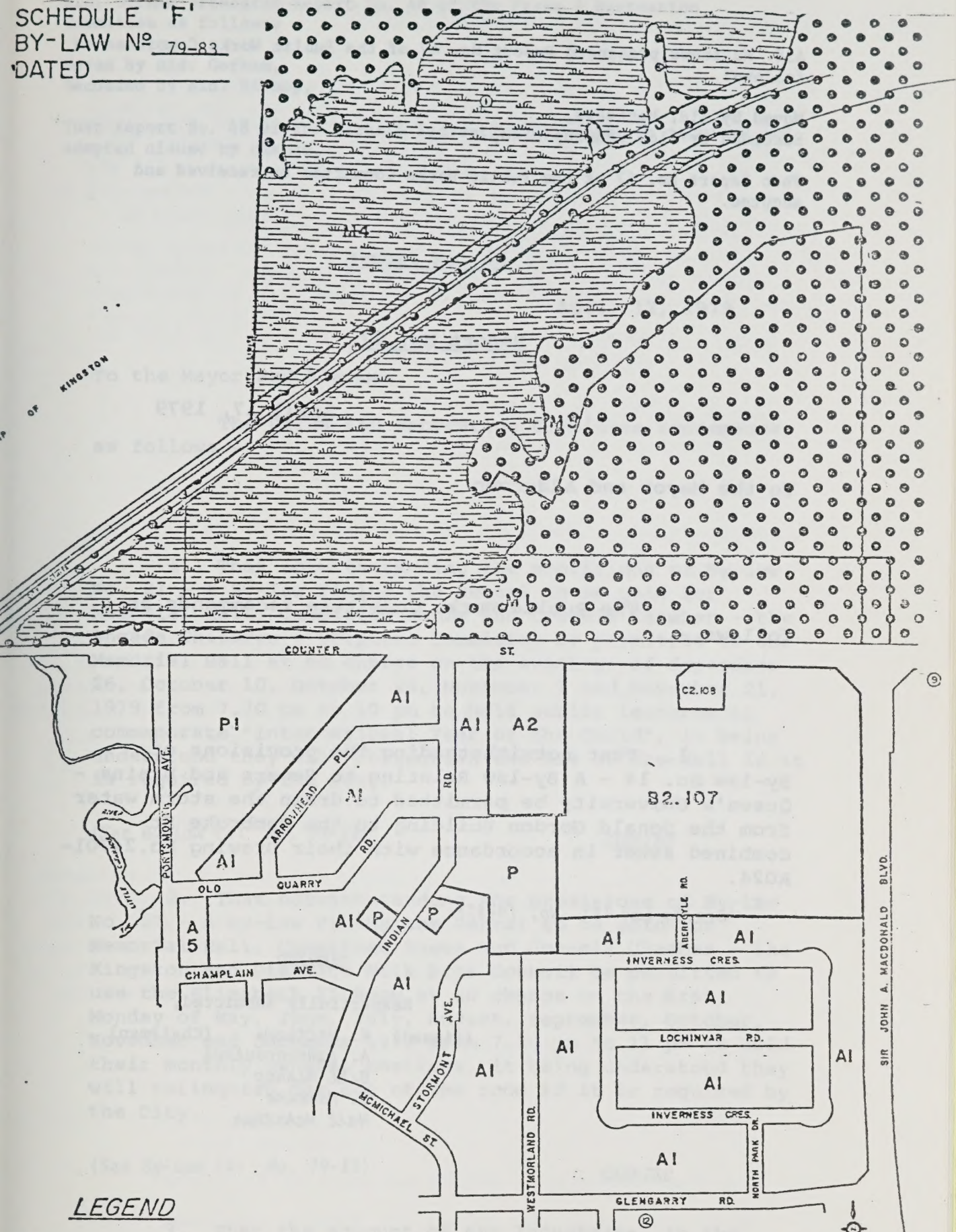


TO BE ZONED M.96

MAP

BY-LAW Nº
JULY 28, 19
REVISED

SCHEDULE 'F'
BY-LAW N^o 79-83
DATED _____



LEGEND

- TO BE ZONED M
- TO BE ZONED FP

MAP 10

BY-LAW N^o 8499
JULY 28, 1975
REVISED _____

REPORTS (Cont'd)

Ald. Matthews presented Report No. 47 of the Public Works Committee as follows:

Moved by Ald. Matthews,
Seconded by Ald. Lampropoulos,

That Report No. 47 of the Public Works Committee be received and adopted.

Report No. 47

April 17, 1979

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

1. That notwithstanding the provisions of By-law No. 14 - A By-law Relating to Sewers and Drains - Queen's University be permitted to drain the storm water from the Donald Gordon Building to the Pembroke St combined sewer in accordance with their Drawing No.24701-A024.

(See By-Law 13: No. 79-87)

CARRIED

Respectfully submitted,

(Signed) K. Matthews (Chairman)
A. Lampropoulous
Bill Bishop
J. Hawkins
Neil McArthur

* * *

REPORTS (Cont'd)

Ald. Gorham presented Report No. 48 of the Parks & Recreation Committee as follows:

Moved by Ald. Gorham,
Seconded by Ald. Bishop,

That Report No. 48 of the Parks & Recreation Committee be received and adopted clause by clause.

Report No. 48

April 12, 1979

To the Mayor and Aldermen

The Parks and Recreation Committee recommends
as follows -

1. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be paid for Memorial Hall, Committee Rooms and Council Chamber - the Angada Children's Hospital Committee be permitted to use Memorial Hall at no charge on the evenings of September 26, October 10, October 24, November 7 and November 21, 1979 from 7.30 pm to 10 pm to hold public lectures to commemorate "International Year of the Child", it being understood they will relinquish the use of the Hall if it is required by the City.

(See By-Law 14: No. 79-88)

CARRIED

2. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be paid for Memorial Hall, Committee Rooms and Council Chamber - the Kingston and District Folk Arts Council be permitted to use the Elizabeth II Room at no charge on the first Monday of May, June, July, August, September, October, November and December 1979 from 7.30 pm to 11 pm to hold their monthly general meetings, it being understood they will relinquish the use of the room if it is required by the City.

(See By-Law 14: No. 79-88)

CARRIED

3. That the account of Arc Industries, in the amount of \$1800.00, for the design and construction of 80 limestone trophies for the Ontario Winter Games - Kingston 1978, be paid and charged to the Ontario Winter Games Account.

CARRIED

REPORTS (Cont'd)

Report No. 48 - Parks & Recreation Committee

4. That Schedule D - Schedule of Rates for Membership or Use of Belle Park Fairways - of By-law No. 19 - A By-law to provide for the regulation use of Parks and Recreational Facilities of the Corporation - be amended to add the following to the Additional Services Section -

Club Storage

With Locker Privileges	- \$15.00
With Basket Locker Privileges	- \$12.50

Note People who use the above will be required to provide their own locks.

(See By-Law 15: No. 79-89)

CARRIED

Ald. Webb withdrew at 10:40 p.m. and returned at 10:41 p.m.

5. That a Sub-Lease, in the form prepared by the City Solicitor and attached as Schedule "A", be entered into with Scott Yacht Services, Incorporated, to sub-lease areas at the Kingston Harbour Olympic Site for the operation of a Ship's Fuel and Pumpout and minor repair services.

CARRIED 14:1

(Ald. Hawkins opposed)

6. That the Lease Agreement between 235130 Holdings Limited and the City of Kingston be amended to include the establishment of a Games Arcade on a one-year trial basis in a location within the concessionaire's area satisfactory to the Commissioner of Parks and Recreation and the City of Kingston, and the City of Kingston to receive 15% of the total gross revenue.

(Note: At Lake Ontario Park) (See Schedule "C" attached)

CARRIED 9:6

(See Recorded Vote)

Ald. Clark requested a recorded vote which was as follows:

YEAS: Ald. Bishop, Ald. Gorham, Ald. Hawkins, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Tarnowecy, Ald. Timmins, Ald. Webb (9).

NAYS: Mayor Keyes, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Knapp, Ald. Miller (6).

REPORTS (Cont'd)

Report No. 48 - Parks & Recreation Committee

7. That the Lease Agreement between 235130 Holdings Limited and the City of Kingston be amended to include the following clause AND the Rules and Regulations Regarding Operation of Amusement Riding Devices attached as Schedule "B" -

"235130 Holdings Limited hereby indemnifies and saves harmless The Corporation of the City of Kingston from all claims, actions or suits that may arise out of the operation of the amusement concession and canteen at Lake Ontario Park."

CARRIED

Respectfully submitted,

(Signed) M.B. Gorham (Chairman)
Bill Bishop
J. Clark
A. Lampropoulos
Neil McArthur

* * *

THIS SUB-LEASE MADE THE 19th DAY OF APRIL, 1979.

B E T W E E N:

THE CORPORATION OF THE CITY OF KINGSTON

(hereinafter called the "Sub-Lessor")

OF THE FIRST PART

- and -

SCOTT YACHT SERVICES, INCORPORATED

(hereinafter called the "Sub-Lessee")

OF THE SECOND PART

WHEREAS the Sub-Lessor has entered into a Head Lease, No. 7701K293 with The Department of Fisheries and the Environment for the land and land covered by the waters of Portsmouth Harbour, situate, lying and being in the City of Kingston, Province of Ontario, for a period of five (5) years, commencing January 1, 1977 to December 31, 1981;

AND WHEREAS the Sub-Lessee wishes to enter into a Sub-Lease with the Sub-Lessor;

NOW THEREFORE WITNESSETH that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Sub-Lessee to be paid, observed and performed, the Sub-Lessor hath demised and sub-leased unto the Sub-Lessee the following areas at the Kingston Harbour Si as shown on the attached Schedule "A", for the operation of a Ship's Fuel and Pumpout and Minor Repair Service.

- (1) 900 square feet of outdoor space for boat storage, located immediately north of the southerly launching ramp, as shown on page two of the attached Schedule "A". It is understood that the Sub-Lessee will re-locate to a roughly equivalent location if requested by the Sub-Lessor, such re-location shall be after the receipt of sixty (60) days notice from the Sub-Lessor;

- (2) berthing space for minor repairs and dispensing of fuel, comprising the service dock area, as shown on page two of the attached Schedule "A".

TO HAVE AND TO HOLD for a period commencing the first (1st) day of May, 1979, until the thirtieth (30th) day of December, 1981, with an option to the Sub-Lessee to renew the Sub-lease for a five year period at a rent and on terms to be negotiated. If the Sub-Lessee wishes to renew this Sub-Lease it shall notify the Sub-Lessor in writing at least ninety (90) days prior to December 30th, 1981. Any such renewal shall be subject to the renewal of the said Head Lease between The Department of Fisheries and the Environment and the Sub-Lessor.

YIELDING AND PAYING THEREFOR unto the Sub-Lessor the sum of Thirty-Seven Dollars and Fifty Cents (\$37.50) per month, payable in advance on the first (1st) day of each and every month of the term of this sub-lease, commencing the first (1st) day of May, 1979, to and including the first (1st) day of December, 1981, calculated at Fifty Cents (50¢) per square foot per annum, covering Nine Hundred Square Feet (900 sq. ft.) of outdoor space, as shown on page two of the attached Schedule "A", totalling Four Hundred and Fifty Dollars (\$450.00) per annum. In addition, the Sub-Lessee shall pay to the Sub-Lessor, on the tenth (10th) day of each and every month for the term of this Sub-Lease, 1.1 cents per litre of fuel dispensed and one-third (1/3) of all pump out charges received during the preceding month commencing the first (1st) day of May, 1979 to and including the 1st day of December, 1981.

THE SUB-LESSEE COVENANTS AND AGREES WITH THE SAID SUB-LESSOR AS FOLLOWS:

1. That it is aware of all of the terms of the aforementioned Head Lease between The Corporation of the City of Kingston and The Department of Fisheries and the Environment,

No. 7701K 293, a copy of which is attached to this Sub-Lease as Schedule "C", and the Sub-Lessee covenants and agrees to be bound by all of the terms of this principal lease;

2. That it will pay the rent reserved at the time hereinbefore listed for the payment thereof, without any deduction whatsoever.

3. That it will not, during the continuance of the Sub-Lease, transfer, assign or sublet the said premises without the consent of the Sub-Lessor, and such consent shall not arbitrarily be refused.

4. That it will pay all business taxes for the demised premises at the Kingston Harbour Olympic Site.

5. That, having inspected the appurtenances thereto belonging, accepts the said premises and appurtenances in their present condition and state of repair. That, at its own risk and expense, will carry out all repairs and maintenance necessary to place and maintain the demised premises and appurtenances thereto belonging and all equipment therein in proper working condition sufficient for its purposes and that at no time during the currency of this sub-lease shall the Sub-Lessor be called upon to repair, maintain or replace any part of the premises demised herein, or the appurtenances belonging thereto.

6. That the Sub-Lessor shall not be liable for any personal injury or property damage, howsoever arising, in connection with the use or occupancy of the said lands and premises.

7. That it will indemnify and save harmless the Sub-Lessor from and against all claims, demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, sustained, or brought or prosecuted in any manner based upon, occasioned by, or attributable to any injury or damage arising or resulting from any act or omission of the Sub-Lessee, its servants or agents in using or occupying the said demised premises.

8. That, at its own expense and concurrently with the execution of this Sub-Lease, shall place and maintain at all times during the currency of this Sub-Lease, general public liability insurance to third parties in the amount of Five Hundred Thousand Dollars (\$500,000.00) and in the same amount for damage done to property arising from one accident, with a responsible insurance company or companies, so as to fully cover the sub-lessee's liabilities to any firm, person, association or corporation, resulting from or attributable to the operations of the sub-lessee hereunder; and evidence of such insurance, satisfactory to the sub-lessor, shall be deposited with The Corporation of the City of Kingston.

THE SUB-LESSOR COVENANTS AND AGREES WITH THE SUB-LESSEE AS FOLLOWS:

9. That, upon the Sub-Lessee paying the rents and performing the covenants herein contained on the part of the Sub-Lessee to be paid and performed, the Sub-Lessee shall and may peaceably and quietly enjoy the said premises without molestation, hindrance or disturbance from or by the Sub-Lessor or any person or persons claiming through or under it.

10. That it shall be responsible for bringing to the demised premises, where required, water, sewer and electrical utilities to the property line of the demised premises.

11. That it shall be responsible for payment of all property taxes, including local improvement charges, for the demised premises.

12. That the Sub-Lessee will provide and maintain all necessary furnishings and equipment that are required to operate a marine fuel and pump out service.

13. That the sub-lessee will provide the following services:

- (i) Fuel and Service Area
The Sub-Lessee will provide fuel and pump-out services. These will be maintained at the expense of the sub-lessee and operated

at least daily during peak boating seasons, in compliance with City of Kingston By-Laws. The Sub-Lessee shall comply with the operating hours listed and the attendance noted in Schedule "B" which shall form part of this agreement. The Schedule shall indicate the minimum operating hours per day during the afore-mentioned operating season and shall indicate how staffing will be deployed in the delivery of the fuel and pump-out service. Operating hours may be amended during the operating season through the written approval of the Commissioner of Parks and Recreation in response to a written proposal of change from the Sub-Lessee.

(ii) Repairs

Minor repairs only will be provided on site.

(iii) Information

The sub-lessee shall staff his operation in a manner consistent with the prestigious ideals of the sub-lessor for customer service and shall endeavour to assist the sub-lessor in the dissemination of information pertinent to the sub-lessor's domain, it being understood that such assistance is secondary to the delivery of fuel, pump out and repair service which shall be performed in a diligent and courteous manner. Any reasonable request for the extension of services or improvement to the quality by the sub-lessor as changing conditions dictate shall not arbitrarily be refused.

14. The Sub-Lessee shall provide the Sub-Lessor with weekly reports which shall show daily opening and closing fuel pump reading, copies of merchandise delivery receipts pertinent to the procurement of inventory during the reporting week and daily opening and closing receipt numbers issued for the delivery of pump out service. The sub-lessee shall pay to the sub-lessor on the tenth (10th) day of each month 1.1 cents per litre for all fuel dispensed and one-third (1/3) of all pump out charges received during the preceding month. Failure to produce the afore-mentioned reports, shall give the Sub-Lessor the right, after giving fifteen (15) days notice in writing, to terminate the agreement.

15. The Sub-Lessor shall continue to operate all berthing and docking facilities and the operation of the fuel, pump out, and minor repair service by the Sub-Lessee shall not infringe or encroach upon the Sub-Lessor's operations.

16. That the Sub-Lessee shall pay for any alterations needed to suit the space for its occupancy, that it shall provide to the sub-lessor details of all alterations proposed and withhold commencement of any work until the written consent of the Sub-Lessor is obtained, that all such alterations to the said premises shall be maintained by and at the sole cost of the Sub-Lessee, to the satisfaction of the Sub-Lessor, and that all permanent improvements made by the Sub-Lessee shall become the property of the Sub-Lessor without payment, when the Lessee vacates the premises. That the Sub-Lessee shall not construct or erect any buildings or other structures on the said lands and the said facilities without obtaining the approval of the Regional Director of Small Craft Harbours Branch, Ontario Region, of The Department of Fisheries and the Environment of Canada, and the Commissioner of Parks and Recreation, of plans showing the design and nature of construction of such buildings or structures and their proposed locations, and all such buildings or structures shall be constructed and thereafter maintained by and at the cost and expense of the Sub-Lessee to the satisfaction of the Commissioner of Parks and Recreation.

17. That the aforesaid Regional Director and the Sub-Lessor, their servants or agents, shall at all times and for all purposes, have full and free access to any and every part of the said lands and the said facilities while acting within the scope of their duties or employment.

18. The Sub-Lessee shall erect signs at dockside which will clearly indicate the hours of operation and cost for services offered at the fuel and pump out service dock. Any signs erected on the site by the Sub-Lessee shall be subject to the approval of the Sub-Lessor.

IT IS MUTUALLY AGREED AS FOLLOWS:

19. That if the said premises hereby sub-leased are at any time during the said term wholly or partially destroyed by fire or otherwise, so as to render them untenable, the rent shall forthwith become payable up to the time of such destruction and the term hereby created shall forthwith terminate, but if the premises are only partially destroyed, the term shall not terminate if the Sub-Lessee agrees in writing to the continuance thereof and the Sub-Lessor forthwith repairs and makes the premises fit for the purpose of the Sub-Lessee, but the rent reserved up to the time of the said destruction shall forthwith be payable by the Sub-Lessee and the proportionate part of the rent reserved shall abate until the premises have been made fit for the purpose of the sub-lessee

20. That in case the rent reserved or any part thereof is in arrears for the space of one calendar month, or in the case default is made in the fulfillment of any covenants on the part of the Sub-Lessee, whether express or implied, and is continued for the space of one calendar month, the Sub-Lessor may enter upon and take possession of the demised premises or any part thereof in the name of the whole and the same repossess and enjoy as of its former estate, and the term hereby granted shall thereupon cease and terminate.

If the Sub-Lessee shall be in default hereunder in the payment of rent or amounts collectible hereunder as rent reserved and in arrear, the Sub-lessor may give written notice of such default to the Sub-Lessee and the Sub-Lessee shall have fifteen (15) days after receipt of such notice within which to remedy such default. If the Sub-Lessee shall be in default of any of its covenants and obligations hereunder other than its covenant to pay rent or amounts collectible hereunder as rent reserved and in arrear, the sub-lessor may give written notice to the sub-lessee forthwith, such default coming to the attention of the sub-lessor shall with

reasonable particularity state the nature of the default and require the same to be remedied and the sub-lessee shall have from the receipt of such notice sixty (60) days (or such longer period as may be reasonably necessary bearing in mind the nature of the default), within which to remedy such default. If, after the expiration of the times above listed, the sub-lessee remains in default, the sub-lessor may thereupon at its option, either by itself or its lawfully authorized agent, enter and re-enter into and upon the said demised premises or any part thereof in the name of the whole and have again, repossess and enjoy its former estate free and clear of all claims of the sub-lessee, and this sub-lease shall be terminated; provided nevertheless that the sub-lessor shall not terminate this sub-lease because of default of the sub-lessee in payment of rent or amounts collectible hereunder as rent reserved and in arrear without having first given to the sub-lessee the notice of default in payment of rent hereinbefore provided for.

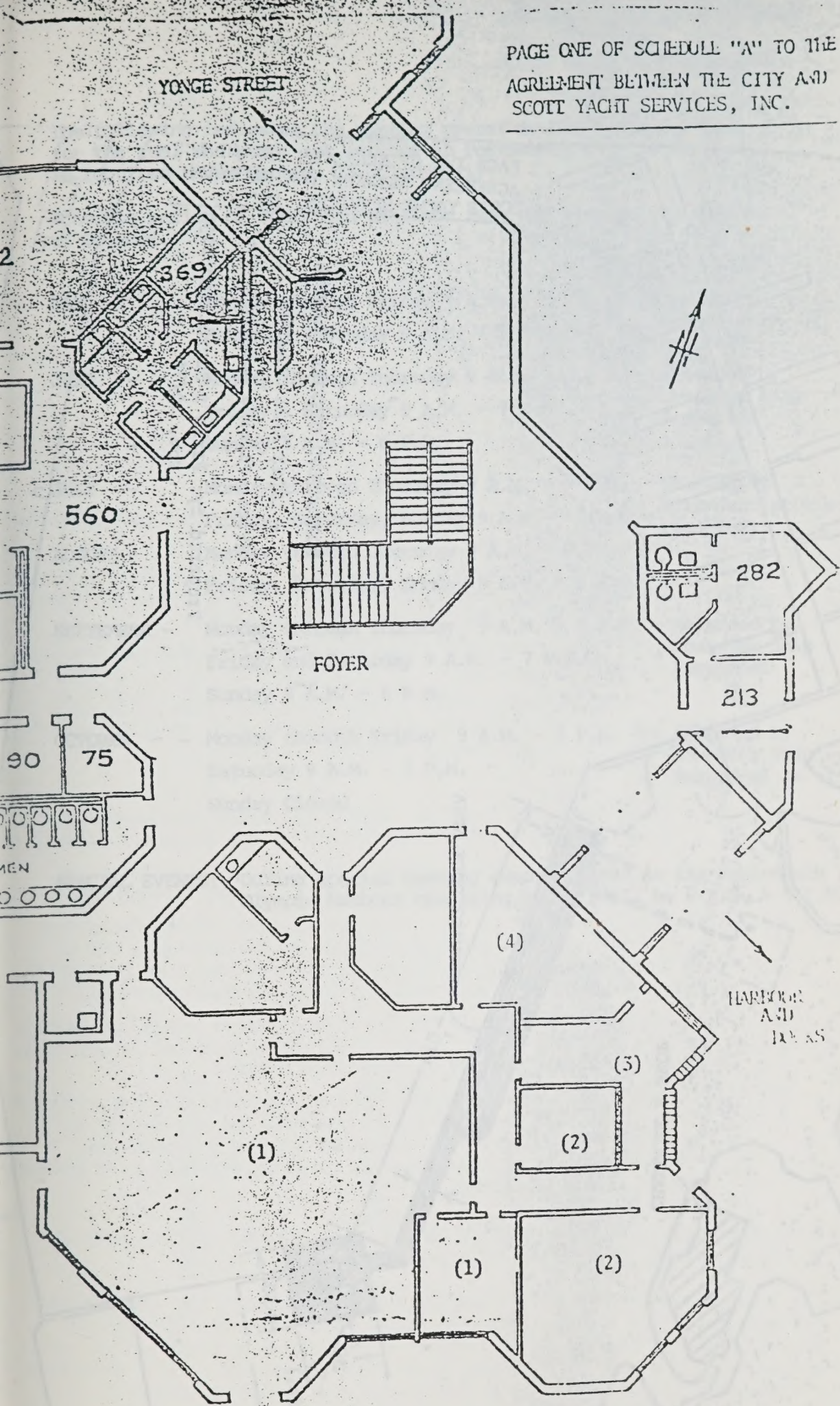
21. The Sub-Lessee shall cause to be kept records according to accepted principles of accounting, indicating revenues and expenditures pertaining to the operations and management of the said lands and the said facilities and the sub-lessee shall supply the sub-lessor with an audited statement of the revenues and expenditures at the end of each sub-lease year. Failure to produce such records shall give the Lessor the right, after giving fifteen (15) days notice in writing, to terminate this agreement.

22. The books of the sub-lessee concerning the operations and management of the said lands and the said facilities shall be open for audit and inspection by the designated officers of the sub-lessor at any time during the business hours of the sub-lessee.

THAT THESE PRESENTS and everything herein contained shall respectively enure to the benefit of and be binding upon the parties hereto, their executors, administrators, successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their hands and seals.

SIGNED, SEALED AND DELIVERED)	THE CORPORATION OF THE CITY
)	OF KINGSTON
)	
)	Mayor
)	
)	City Clerk
)	
)	SCOTT YACHT SERVICES INCORPORATED
)	
)	



YACHT SERVICES, INC. (1938 sq. ft.)
 QUEEN BOAT LINE
 CANADIAN OLYMPIC TRAINING REGATTA, KINGSTON INC.
 WITH MARINE SERVICES

PORTSMOUTH OLYMPIC HARBOUR

- LEASE AREA DIAGRAM

(First Floor)
 Scale 1/16" = 1'

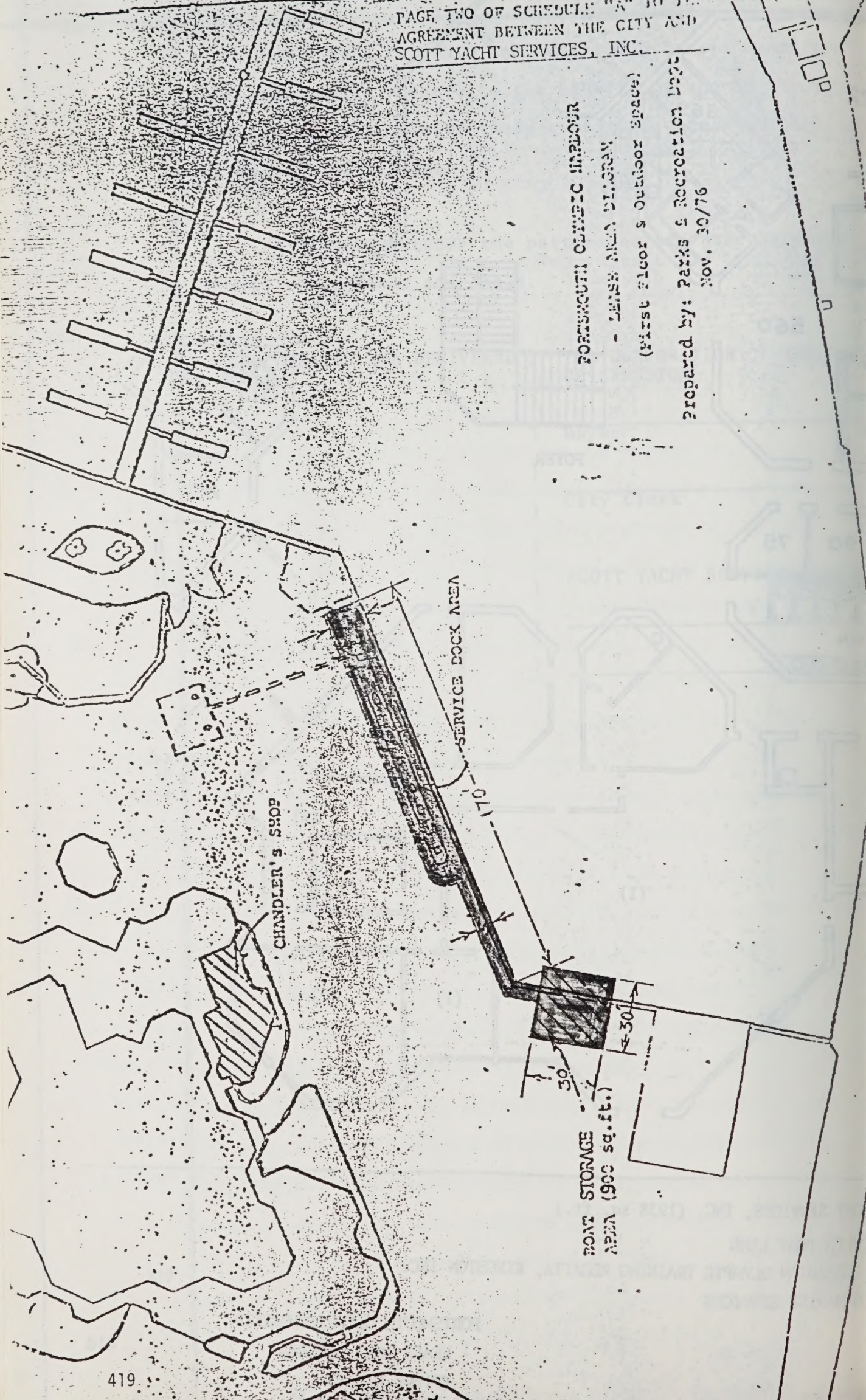
PAGE TWO OF SCHEDULE "A" TO THE
AGREEMENT BETWEEN THE CITY AND
SCOTT YACHT SERVICES, INC.

PORTSMOUTH OLYMPIC HARBOUR

- LEASE AREA DIAGRAM

(FIRST FLOOR & OUTDOOR SPACE)

Prepared by: Parks & Recreation Dept.
Nov. 30/76



SCHEDULE "B" Of Agreement
between the City of Kingston
and
SCOTT YACHT SERVICES, INC.

The following indicates the minimum operating hours and staffing for the fuel and pump out service at Portsmouth Olympic Harbour as required under Section 15, Clause (i)

Schedule period of operation shall be from May through the middle of October.

MAY	-	Monday through Friday 9 A.M. - 5 P.M.	- Attended by
	-	Saturday & Sunday 9 A.M. - 5 P.M.	- Chandler Ship Personnel
JUNE	-	Monday through Thursday 9 A.M. - 5 P.M.	- Attended by
	-	Friday & Saturday 9 A.M. - 7 P.M.	- Chandler Ship Personnel
	-	Sunday 8 A.M. - 6 P.M.	-
JULY	-	Monday through Thursday 9 A.M. - 7 P.M.	- Staffed by
	-	Friday, Saturday, Sunday 9 A.M. - 9 P.M.	- Attendant at the Fuel Dock
AUGUST	-	Monday through Thursday 9 A.M. - 7 P.M.	-
	-	Friday, Saturday, Sunday 9 A.M. - 9 P.M.	-
SEPTEMBER	-	Monday through Thursday 9 A.M. - 5 P.M.	- Attended by
	-	Friday and Saturday 9 A.M. - 7 P.M.	- Chandler Ship Personnel
	-	Sunday 8 A.M. - 6 P.M.	-
OCTOBER	-	Monday through Friday 9 A.M. - 5 P.M.	- Attended by
	-	Saturday 9 A.M. - 5 P.M.	- Chandler Ship Personnel
	-	Sunday Closed	-

SPECIAL EVENTS:- During special boating events hosted at the Portsmouth Olympic Harbour operating hours shall be 8 A.M. - 9 P.M.

Rules and Regulations RegardingOperation of Amusement Riding Devices - Lake Ontario Park

The owner or his agents shall submit to the Corporation of the City of Kingston, prior to operation of Amusement Riding Devices in Lake Ontario Park, annually as follows:

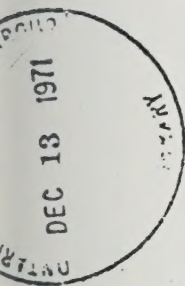
1. Inspection Report from the Canadian Outdoor Amusement Association or designate of that organization,
 - (a) listing and identifying rides inspected and approval for rides as to compliance with manufacturer specifications
 - (b) installation and location
 - (c) proposed operating and maintainance schedule, submitted by the owner.

Where additional rides are used in the Park on promotional events, C.O.A.A. approvals are required as well as evidence of extended liability insurance.

2. Inspection Report from the Ontario Hydro showing installation to be acceptable.
3. Comply with Canadian Standards Association - Midway Safety Code and supply the City with a certificate of intension to operate within the specified scope of the aforementioned schedules.
4. Identify the ride supervisor or alternate to be on duty in the Park when rides are in operation.
5. Provide an operating procedure schedule for each ride which will set the basis for instructing ride operators, i.e. loading, starting, monitor movement or equipment, stopping, unloading.

Also including rules:-

6. - Every owner and operator shall make every attendant aware of all safety standards applicable to the amusement ride.
7. - No person shall operate or cause to be operated an amusement ride that has become unsafe through usage.
8. - No person shall be in the immediate vicinity of the operating controls of the amusement device during the operation and no person other than the attendant or operator shall be permitted to handle such operating controls during normal operation.
9. - An amusement ride shall not be overcrowded or loaded in excess of its carrying capacity, nor shall it be operated at any speed beyond that recommended by the manufacturer.
10. - An amusement ride shall not be operated under weather conditions which alter the performance of the ride, or the safety and comfort of the customer, except to release or discharge occupiers. All devices must be guyed or anchored to withstand winds of up to 70 m.p.h.
11. - Amusement rides shall be properly illuminated, especially with respect to access and exits in order to prevent personal injuries.
12. - The operator shall provide a standard system of signals for the starting and stopping of amusement rides, it being understood that the signals will provide the operator or attendant with a means to operate the amusement ride where the operator or attendant does not at all times have a clear view to the point where passengers are loaded or unloaded.
13. amended - The interior and exterior parts of the amusement ride shall be so maintained to prevent injury to passengers and where children are permitted to ride on amusement rides, adequate protection must be provided for the children through safety bar safety belts or other suitable measures.
14. - The owner, operator and attendant shall maintain the manufacturer's instructions and Canadian Safety Association standard for the amusement ride in a good condition and readily available. The owner, operator and attendant shall ensure that the area where equipment to which the public should not have access is suitably fenced or barricaded to the satisfaction of the Corporation of the City of Kingston.



CSA STANDARD Z267-1971

MIDWAY SAFETY CODE



PUBLISHED, OCTOBER, 1971
BY THE
CANADIAN STANDARDS ASSOCIATION
(INCORPORATED 1919)
178 REXDALE BOULEVARD,
REXDALE 601, ONTARIO, CANADA

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COMMITTEE ON MIDWAY SAFETY CODE

F. H. ELLIS (<i>Chairman</i>).....	Ontario Safety League, Toronto
G. E. BEATTIE (<i>Mrs.</i>).....	New Brunswick Safety Council, Fredericton
J. C. BOWDEN.....	Canadian Standards Association, Winnipeg (<i>Representing Greater Winnipeg Safety Council</i>)
J. F. CONKLIN.....	Conklin & Garrett Limited, Brantford
W. H. ESTES.....	A.R.E.A. Ride Safety Committee, Flowerville, Michigan
D. E. GARRICK.....	C.N.E., Toronto
T. F. JACOBS.....	Jacobs Welding Engineering Limited, Edmonton
H. L. KING.....	Ontario Department of Labour, Toronto
R. P. LAWRENCE.....	The Alberta Safety Council, Edmonton
H. W. MADGWICK.....	Bridge & Tank Co of Canada Ltd., Hamilton
E. D. MCGUGAN.....	Western Fair Association, London
P. G. McLAREN.....	The Canada Safety Council, Ottawa
H. MUISE.....	Prince Edward Island Workmen's Compensation Board, Charlottetown
L. A. O'MORROW.....	Manitoba Department of Labour, Winnipeg
G. PEDNEAULT.....	Quebec Department of Labour and Manpower, Quebec
W. A. PERRY.....	Canadian Association of Exhibitions, Toronto
R. VALCOURT.....	Man and His World, Montreal
H. E. WRIGHT.....	Farm Safety Council of Ontario, Guelph
D. TENNILE (<i>Secretary non-voting</i>).....	Canadian Standards Association, Rexdale

In addition to the members of the Committee, the following made valuable contribution to the development of this Standard in his capacity as noted:

S. KOINOFF (*Alternate*)..... Department of Labour, Toronto

PREFACE

This first edition of CSA Standard Z267, Midway Safety Code, establishes safety standards for transportation of passengers on amusement rides and for temporary structures at carnivals, fairs, and amusement parks. The purpose of this Code is to guard against personal injuries in the assembly, operation, disassembly and use of amusement rides and temporary structures at carnivals, fairs, and amusement parks to persons employed at or attending the same, or to the users.

It is anticipated that this Standard which represents the latest thinking of a cross-section of the industry and existing regulating agencies, will form the basis for safety regulations to be established by provincial governments and other legal agencies, insurance companies, and interested industrial and trade associates.

Applicable codes and standards should be referred to when designing, fabricating, installing and operating amusement rides.

The purpose of this Code is to set out guidelines for all associated with the midway industry to provide safe amusement for the public.

This Standard was prepared by the Committee on Midway Safety Code, under the jurisdiction of the Sectional Committee on Safety Codes, and was formally approved by these Committees.

REXDALE, OCTOBER, 1971

NOTE: In order to keep abreast of progress in the industries concerned, CSA Publications are subject to periodic review. Suggestions for improvement will be welcomed at all times. They will be recorded and in due course brought to the attention of the appropriate committee for consideration.

Also, requests for interpretation will be accepted by the Committee. They should be worded in such a manner as to permit a simple "yes" or "no" answer based on the literal text of the requirement concerned.

All enquiries regarding this Standard should be addressed to Canadian Standards Association, 178 Rexdale Boulevard, Rexdale 603, Ontario.

REFERENCE PUBLICATIONS

A list of Publications referred to in this Standard is included in Clause 1.3. Bibliography is included in Appendix A.

1.1 Applications. This Standard applies to amusement rides and temporary structures at carnivals, fairs, and amusement parks and to the managers of such devices and structures to the persons employed in connection with the same and to their employers.

1.2 Intent. It is the intent of this Standard, and it is hereby required, that such rides and structures shall be so designed, constructed, assembled or disassembled, maintained and operated as to prevent such injuries.

1.3 Reference Publications. This Standard makes reference to the following publications and where such reference is made it shall be to that edition of such publication as listed below:

CSA Standards B51-1969,	Code for the Construction and Inspection of Boilers and Pressure Vessels;
B144-1969,	Portable Plastic Containers for Petroleum Fuels;
B252-1971,	Portable Metal Containers for Gasoline and Other Petroleum Fuels;
C22.1-1969,	Canadian Electrical Code, Part I—Inside Wiring Rules;
C22.3 No. 1-1970,	Overhead Systems and Underground Systems;
Z98-1968,	Aerial Passenger Tramways.
Z102.15-1967,	Steel Drums.

2. DEFINITIONS

2.1 The following definitions apply in this Standard:

Mandatory and Advisory Rules means to carry out the provisions of this Standard, the word "shall" is to be understood as mandatory and the word "should" as advisory;

Amusement ride means a device or combination of devices designed or intended to entertain or amuse people by physically moving them;

Amusement park means a tract of land used as a temporary or permanent location for amusement devices and structures;

Approved means approved by the authority having jurisdiction;

Authority having jurisdiction means enforcing authority as designated by Federal, Provincial, or Municipal Government;

Car means a passenger conveyance;

Carnival means an enterprise principally devoted to offering amusement or entertainment to the public in, upon or by means of amusement devices or temporary structures in any number or combination, whether or not associated with other structures or forms of public attention;

It means a doorway or other opening affording safe and unobstructed access to an open area;

It means an enterprise principally devoted to the exhibition of the products of agriculture or industry, and at or in connection with which amusement devices and temporary structures are provided;

It means a room in which the motive power and driving mechanism of a machine are located, and the portion of a building or enclosure which contains only the motive power and driving mechanism;

It means a person having possession, custody or managerial control of an amusement device or temporary structure at a carnival, fair, amusement park, whether as owner, lessee, agent or otherwise;

It means a collection, group or section of amusement rides in a building, exhibition, fair, or amusement park;

It means the capacity established by the manufacturer or designer of the equipment and as indicated on the equipment name plate;

It means a complete turn of each passenger unit in a cycle of operation excluding a starting and stopping, whichever is applicable to the device being affected;

It means a device which will prevent roll-back of cars;

It means a device, switch or button, mechanical or electrical which operates the device;

It means a structure designed to be relocated from time to time with or without disassembly and used or intended to be used for amusement purposes or for public occupation in connection with other purposes.

3. GENERAL REQUIREMENTS

3.1 General.

The following general requirements shall apply to all categories of midway amusement devices described in this Standard: For the purposes of design, the average passenger shall be considered as having a weight of 170 pounds;

If a designer or manufacturer of equipment wishes to use materials not covered by these Standards, the design, details, materials, and construction features shall provide safety factors at least equivalent to those specified in this Standard;

Where amusement devices run along irregular routes, such as gravity rides, special consideration for safety precautions shall be provided;

Each part of an amusement ride or device, shall be designed and constructed in accordance with the particular class of work.

3.1.2 Location. In selecting the location and alignment of a ride or any amusement device therein, consideration shall be given to ease of access and exit, surface drainage, fire protection, and area lighting.

3.2 Electrical Protection

3.2.1 General Requirement. All electrical equipment and electrical installations must comply with CSA Standard C22.1, Canadian Electrical Code, Part I, as mandated by the local inspection authorities.

3.2.2 Elevated Lines. All overhead electrical power transmission lines shall comply with the requirements of CSA Standard C22.3 No. 1, Overhead Systems and Underground Systems. Only signal, communication, and control circuits are permitted to be carried on towers which support aerial amusement devices and the lighting and control circuits of one amusement device shall not be carried on the supporting towers of another amusement device.

3.2.3 Transformers, Equipment and Wiring. All transformer station electrical equipment and wiring shall be protected against the weather unless suitable for outdoor use. Rooms or lockers containing electrical equipment shall not be accessible to the public. Locks to be provided if required.

3.2.4 Low Voltage Release. Any motor which could create a hazard in the event of its unexpected restart upon resumption of the power supply (after a power failure) shall be provided with low voltage release, i.e. electro-magnetic starting.

3.2.5 Suspended Electric Wiring. Temporary electric wiring, if suspended, shall be so supported that its protective insulation will not be damaged.

3.2.6 Grounding. All electrical installations shall be properly grounded. All rides with electric motor drive and lighting shall be grounded to a common main ground in turn connected to the feeding generating station or substation.

3.2.7 Exposed Conductors. Bare wires and other uninsulated current-carrying parts shall be guarded against inadvertent contact by means of proper location or by a fence or other barrier.

3.2.8 Overcurrent Protection. Shall be in accordance with CSA Standard C22.1, Canadian Electrical Code, Part I—Inside Wiring Rules.

3.2.9 Generator Grounding. Where electrical power is supplied for an amusement device or a temporary structure by a privately operated generating system, the generator and all equipment shall be properly grounded.

3.2.10 Receptacles and Caps. All receptacles and attachment caps shall be of the grounding type.

ways used as amusement devices.

Inspection and Maintenance

3.6.1 Inspection and maintenance of rides shall be made by a competent trained person.

3.6.2 The daily inspection shall include blocking, structure, drives passenger carrying equipment. A daily test prior to operation shall be made and shall include controls, safety devices, brakes, and communication equipment.

3.6.3 *Periodic non-destructive tests or load tests of amusement rides or components thereof may be required to be carried out by the authority having jurisdiction.*

3.6.4 Prohibited Use. No person shall knowingly use, or suffer or permit used, an amusement device which is not properly assembled or which is defective or unsafe in any of its parts, components, controls or safety equipment.

Assembly and Disassembly

3.6.1 Competent Supervision. The assembly and disassembly of an amusement device or a temporary structure shall be done by or under the immediate personal supervision of a person experienced and instructed in proper performance of such work in respect to the device or structure.

3.6.2 Quality of Assembly Work. Assembly work shall be performed properly and workmanlike manner. Parts shall be properly aligned, and not be bent, distorted, cut, or otherwise damaged to force a fit. Parts requiring lubrication shall be properly lubricated in course of assembly. Bolts and locking devices such as bolts, cap screws, cotter pins, lock washers etc., shall be installed where required for dependable operation. Pins shall be drawn tight, cotter pins shall be spread and lock nuts firmly

3.6.3 Quality and Inspection of Parts. Parts which are excessively worn or which have been materially damaged shall be replaced by sound equivalent components. Close visual inspection of parts shall be made during assembly to discover such wear or damage and immediate inspection of devices shall be made after assembly to assure that they have been properly installed.

Tools and Equipment

3.6.4.1 Persons engaged in the assembly or disassembly of midways shall be provided with and shall use tools of proper size and design to do the work to be done safely. Broken, damaged, and unsuitable tools shall not be used.

3.6.4.2 Ladders, scaffolds, and safety belts used in assembly or disassembly work shall be of such design, material and construction as to provide adequate protection to the persons using them.

3.6.4.3 Fibre rope used in assembly or disassembly work shall meet standard quality, make and equivalent in strength.

the intended load plus an additional 100 per cent factor to allow for wear and deterioration of components such as ropes.

3.6.5 Lighting. Assembly and disassembly of amusement devices and temporary structures shall be done under light conditions sufficient to permit the work to be properly performed and inspected.

3.7 Control of Operation. Amusement devices shall be operated only by sufficiently mature and competent operators. Every operator shall have knowledge of the use and function of all normal and emergency operating controls and the proper use of the ride. An operator shall be in the immediate vicinity of the operating controls during operation and no other person shall be suffered or permitted to handle such controls during normal operation. This provision does not apply to amusement devices designed to be operated or controlled safely by a passenger. Rides not suitable for all ages should be so identified.

3.8 Overloading and Overspeeding. An amusement device shall not be overcrowded, or loaded in excess of its rated carrying capacity; nor shall it be operated at any speed beyond that recommended by the manufacturer. Maximum speed limiting devices shall be set at levels which permit safe operating speeds and shall not be tampered with.

3.9 Wind and Storm Hazards. An amusement device which is exposed to wind or storms shall not be operated under adverse weather conditions except to release or discharge occupants. All devices must be guyed or anchored to withstand winds up to 70 m.p.h.

3.10 Lighting. Amusement devices, temporary structures, access thereto and exits therefrom shall, while in operation or occupied, be provided with illumination by natural or artificial means sufficient to guard against personal injuries under these circumstances. Covers shall be installed over bare light bulbs where the public would otherwise come in contact with them. Adequate lighting shall be maintained at loading and unloading areas on all amusement rides.

3.11 Identification of Amusement Devices. Where it is not obvious, the nature of all devices shall be clearly identified, particularly to avoid traumatic experiences on the part of children or immature persons.

3.12 Emergency Brakes and Anti-Rollback Devices. If cars or other components of a midway amusement device may collide in such a way as to cause personal injuries upon failure of normal controls, emergency brakes sufficient to prevent such collisions shall be provided. On rides which make use of inclined tracks, automatic anti-rollback devices shall be installed to prevent backward movement of passenger-carrying units in case of failure of the propelling mechanism.

3.13 Signal Systems. Signal systems for the starting and stopping of amusement devices shall be standardized and provided where the operator of the contrivance does not have a clear view of the point at which passengers are loaded or unloaded. Any code of signals adopted shall be printed and kept posted at both the operator's and signalman's stations. All persons who may use these signals shall be carefully instructed in their use. Signals for the movement or operation of an amusement device shall not be given until

passengers and other persons who may be endangered are in a position of safety.

Public Protection. A midway shall not be used or operated until all persons in which persons may be endangered have been fenced, barricaded, or otherwise guarded against public intrusion. Machinery used in or with a midway shall be enclosed, barricaded, or otherwise effectively guarded so that no contact shall be made with the machinery. Guards removed for maintenance purposes shall be replaced as soon as normal operation is resumed.

Passenger-Carrying Devices. The interior and exterior parts of all passenger-carrying midway cars with which a passenger may come in contact shall be smooth and rounded, free from sharp, rough, or splintered surfaces and corners, with no protruding studs, bolts, screws, or other projections which might cause injury. Interior parts upon or against which a passenger may be forcibly thrown by the action of the ride shall be adequately padded. Such belts, bars, foot rests, and other equipment as may be necessary for the safe entrance and exit and for adequate support while the contrivance is in operation shall be provided. Such equipment and the fastenings thereof shall be of sufficient strength to retain all passengers. The fastenings shall be of a type which cannot be inadvertently released by the passenger.

If children are permitted to ride on amusement devices, adequate fastenings suitable for their protection must be provided to prevent children falling under or through safety belts and bars.

Fire Prevention and Protection. Fire prevention and protection shall be in accordance with the requirements of the Fire Marshal having jurisdiction but in any case shall conform to the requirements of Clauses 3.16.1 to 3.16.4.

3.16.1 Fire Extinguishers. Approved fire extinguishers shall be provided where necessary to secure reasonable and adequate protection from fire hazards. They shall be adequately mounted, marked, and freely accessible at all times.

3.16.2 Flammable Waste. Flammable waste such as oily rags and other flammable materials shall be placed in covered metal containers which shall be kept in easily accessible locations. Such containers shall be kept from exits. No inflammable material or waste shall be stored or kept in amusement devices.

3.16.3 Flammable Liquids and Gases. Gasoline and other volatile liquids and flammable gases shall be kept in reasonably cool ventilated containers, isolated from the public. Such liquids shall be in approved safety containers. Smoking and the carrying of lighted cigars, cigarettes, or pipes is prohibited within 10 feet of any area where such liquids or gases are stored or transferred from one container to another. All devices shall be shut off before refuelling and emptied of all riders. The provisions of the following Standards apply to this Standard, B14.3, Portable Plastic Containers for Petroleum Fuels, B252, Portable Metal Containers for Gasoline and Petroleum Fuels, and Z102.15, Steel Drums.

3.16.4 Internal Combustion Engines. Adequate provision shall

3.17 Cleanliness. A suitable number of receptacles for refuse shall be provided in and around all amusement devices and temporary structures. Excessive accumulations of trash or refuse shall be promptly removed. All parts of amusement devices and temporary structures used by passengers or customers shall be maintained in a clean condition.

3.18 Control and Safety of Passengers

3.18.1 Supervision. There shall be an adequate number of attendants to supervise loading and unloading. One attendant shall be placed in charge of the operating crew.

3.18.2 Control of Passengers. The requirements regarding marshalling of passengers for smooth and safe loading and unloading without interference shall be established by management. The attendants shall be trained accordingly.

3.18.3 Side Guards. Elevated rides of the slide type shall not be operated unless the side guards provide sufficient protection and the surface of the slide and guards is uniformly smooth and free from splinters or cracks.

3.18.4 Signs. Signs, bold in design and easily understood relevant to the safety precautions of each type of amusement ride, shall be posted where they may be seen by all persons using each amusement ride.

3.18.5 Markers. Where guys from amusement devices and concessions intersect the ground within a midway area used by the public, the guys shall be marked for visibility, preferably with boards painted with black and fluorescent yellow or orange stripes.

3.18.6 Evacuation. A system of planned evacuation from all amusement rides, in the event of power failure, fire, or breakdown, shall be established to the satisfaction of the authority having jurisdiction. Adequate equipment for such evacuation of passengers, as necessary shall be kept available at all times for immediate use. Where required, adequate automatic or remote-controlled emergency lighting shall be provided.

3.18.7 Inflated Rides. Sufficient anchorage shall be provided. This type of ride shall not be loaded so as to cause collision or injury between users. Ventilators and fans shall be protected so as to prevent injury.

3.19 Stopping Devices

3.19.1 General. The location of the safety stop shall be marked with a red marker.

3.19.2 Restarting. After any actuation of a safety stop, the cause shall be determined and removed. Safety stop circuits shall not be by-passed during passenger operation.

3.20 Air Compressors and Equipment. Air compressors, air compressor tanks and equipment used in connection therewith shall be constructed, equipped and maintained to ensure safe operation at all times. They shall be inspected and tested at least once a year by a qualified person and a record of each inspection shall be kept and made available to the authority having jurisdiction. Air compressor tanks and other air receivers used in connection with air compressors shall have the maximum allowable working pressure conspicuously marked thereon. All pressure vessels such as air

BIBLIOGRAPHY

Standards and General Codes suitable for reference and application for the engineering design, construction, maintenance and operation of amusement rides and temporary structures are listed below:

CSA STANDARDS

- A23.1-1967, Concrete Materials and Methods of Concrete Construction;
- A23.3-1970, Code for the Design of Plain and Reinforced Concrete Structures;
- G4-1967, Steel Wire Rope: General Purpose;
- G40.1-1971, General Requirements for Delivery of Steel Plates, Sheet Piling and Bars for Structural Use;
- G40.4-1959, Medium Structural Steel;
- O86-1970, Code of Recommended Practice for Engineering Design in Timber;
- O122-1969, Structural Glued-Laminated Timber;
- O177-1965, Qualification Code for Manufacturers of Structural Glued-Laminated Timber;
- S16-1969, Steel Structures for Buildings;
- S157-1969, The Structural Use of Aluminum in Buildings;
- W47-1947, Welding Qualification Code for Application to Fabricating and Contracting Firms;
- W59.1-1970, General Specification for Welding of Steel Structures (Metal-Arc Welding);

GENERAL CODES

- National Building Code of Canada
- CITC* Timber Construction Manual
- NFPA† Publication-Wood Structural Design Data
- CUA‡ Standard 30
- Flammable and Combustible Liquids Code
 - * Canadian Institute of Timber Construction
 - † National Forest Products Association
 - ‡ Canadian Underwriters' Association

LAKE ONTARIO PARKARCADE COSTINCOME

Based on \$120.00 per day for a 100 day operation \$12,000.00

EXPENSES

1. Tent	\$1,000.00	
2. Floor	600.00	
3. Floor Covering	600.00	
4. Electricity	500.00	
5. Insurance	<u>800.00</u>	
	3,500.00	\$3,500.00

Labour based on \$3.50 per hour 100 day operation

\$3,500.00

15% to City of Kingston \$1,700.00

Total \$5,200.00

TOTAL EXPENSES

\$8,700.00

NET PROFIT - ESTIMATED \$3,300.00

THESE FIGURES DO NOT REPRESENT THE COST OF MACHINES.

/mc
20/4/79

REPORTS (Cont'd)

Ald. Gerretsen presented Report No. 49 of the Finance Committee as follows:

Council consented to the amendment of Clause 6, Report No. 49 to add the words "effective January 1, 1979" after the figures "8%".

Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Report No. 49 of the Finance & Accounts Committee be received and adopted clause by clause.

REPORT NO. 49

April 18, 1979

To the Mayor and Aldermen:

The Finance & Accounts Committee reports and recommends:

1. That List of Accounts No. 3, dated March, 1979 for expenditures incurred under proper authorization, in the amount of \$4,975,273.94 be approved.

(NOTE: A copy of the List was distributed to all members of Council.)

CARRIED

2. That as the City Solicitor has indicated that the preparation of clear, concise, collective agreements would remove the necessity of arbitrations, and that the wording of collective agreements is the real problem, the following resolution of the City of Sarnia NOT be endorsed:

"WHEREAS the present arbitration system has no guidelines under which an arbitrator must have his decision and

WHEREAS at one time arbitration involved mostly monetary issues, but have since expanded into areas such as management rights, layoff clauses and technological change clauses, etc. and

WHEREAS Labour Minister R. Elgie made the following statement:

"A system of collective bargaining involving discussions beyond monetary issues is outmoded and destructive" and

WHEREAS many present arbitrators are judges or professors at Universities and some have not had experience at managing finances, personnel matters or union contracts in either the private or public sector.

THEREFORE, BE IT RESOLVED that the Provincial Government through the Minister of Labour be requested to:

- *Establish criteria and a framework with which arbitration boards may deal and*
- *Establish appropriate criteria for individuals who may be appointed as arbitrators".*

CARRIED

REPORTS (Cont'd)

Report No. 49 - Finance & Accounts Committee

3. That as recommended by the Board of Management for the Grand Theatre the renovations contract with Emmons and Mitchell Limited be amended to provide that repairs to the roof at a cost of \$14,334.24 and repairs to the boiler at a cost of \$5,466.21, be effected and that Mr. Thomas Mill, Architect, be retained to supervise the work at a fee of 12% of the repair costs, i.e., \$2,374.00

- and further -

that the amount of \$1,854.45 which is the amount in excess of the budgeted figure of \$20,300.00 for this work be obtained from the contract contingency.

NOTE: Repair Costs for roof and boiler	\$19,780.45
Architect's fee of 12% of repair costs	<u>2,374.00</u>
	22,154.45
Budgeted figure (1979 Budget)	<u>20,300.00</u>
To be obtained from the Contract Contingency	<u>\$ 1,854.45</u>

CARRIED 14:1

(Ald. Webb opposed)

4. That the 1979 Budget of the Kingston Bureau of Tourism in the amount of \$67,000 be approved and that the City Treasurer be authorized to advance the City's share of \$40,000 as required, it being noted that an amount of \$20,000 has already been advanced.

(NOTE: The 1979 Budget provides \$40,000 for this purpose.)

CARRIED

5. That, as recommend by the Public Works Committee and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of a curb, gutter and boulevard on the west side of Montreal Street, from Russell Street to 105 feet south of Railway Street, under the provisions of Section 7 of the Local Improvement Act as follows:

Total estimated cost	\$11,000.00
Owners' share	1,233.26
Anticipated MTC subsidy	4,550.60
City's share	5,216.14
Debenture Amount	6,449.40

- and further that -

the 1979 Capital Budget be amended as follows:

	<u>Decrease</u>	<u>Increase</u>
<u>Local Improvements</u>		
Reconstruction of Miscellaneous Roads	\$6,449.40	-
<u>Local Improvements</u>		
Construction of curb, gutter and boulevard, west side of Montreal St. to 105 feet south of Railway St.	-	\$6,449.40

REPORTS (Cont'd)

Report No. 49 - Finance & Accounts Committee

6. That as recommended by the Chief Administrative Officer and the Director of Personnel, a salary increase of 8%, effective January 1, 1979 be awarded to non-union persons in groups 14-10 and under as follows, as it is believed that this salary increase will not affect negotiations presently being undertaken with Local 109 and this is the same increase to non-union staff in similar categories as to persons in Local 141, inside workers, who have already received this increase.

Four Secretary 2 positions	-	Group No. 8.06
Payroll Clerk	-	Group No. 8.06
Mayor's Secretary	-	Group No. 7.05
Law Student		
Typist - Personnel		
Department	-	Group No. 5-04
Two employees Sewage		
Treatment Plant	-	Group No. 13-9
NIP Co-ordinator and		
Housing Information		
Officer	-	Group No. 12-8
Three Technologists	-	Group No. 14-10
Director of Development		
and Revenue	-	Group No. 14-10
Building Maintenance		
Supervisor	-	Group No. 11-7
Site Supervisor	-	Group No. 12-8
Supervisors -		
Social Services	-	Group No. 9-07
	-	Group No. 8-06
Food Supervisor -		
Rideaucrest	-	Group No. 9-05
Building Maintenance		
Supervisor - Rideaucrest	-	Group No. 9-05
Secretary - Industrial		
Commission	-	Group No. 7-05
Clerk V	-	Group No. 11-7
Accounting Supervisor	-	Group No. 14-10
Deputy Administrator		
Rideaucrest	-	Group No. 13-9
Tax Collector	-	Group No. 13-9
Assistant to Administrator		
Social Services	-	Group No. 12-8

(NOTE: 1969 budget provides for an 8% increase to non-union persons, group 14-10 and under.)

CARRIED AS AMENDED 10:5
(Ald. Clements opposed)

REPORTS (Cont'd)

Report No. 49 - Finance & Accounts Committee

7. WHEREAS the decision of the Land Compensation Board with regard to the expropriation of property owned by Basil D. Keane and Claire Z. Keane has been received;

AND WHEREAS, the Board has ordered the City to pay to the claimants the sum of \$36,000, together with interest in the said amount of \$36,000, or in such part thereof as shall from time to time, remain outstanding at the rate of 6% per annum, computed from March 4, 1974;

AND WHEREAS, Mr. R.R. MacDougall, the Toronto Solicitor has notified that he will be contacting the City with regard to the possibility of appealing this decision;

AND WHEREAS, the City Solicitor has recommended that as the claim for the disturbance of \$75,000 based upon loss of value of the hotel premises was dismissed and Mr. MacDougall has indicated that should the City appeal the land value the claimant would likely appeal the disposition of the claim for disturbance;

THEREFORE BE IT RESOLVED that the City of Kingston NOT appeal the decision of the Land Compensation Board with regard to the expropriation of the property owned by Basil D. Keane and Clair Z. Keane at the Portsmouth Olympic Harbour and that the balance owing of \$13,500 plus 6% interest from March 4, 1974 to April 23, 1979, i.e., \$4,132.19 for a total of \$17,632.19 be paid, it being noted that the City will be responsible for reasonable legal and appraisal costs as well.

CARRIED

8. That the City of Kingston execute a Quit Claim Deed to Donald J. MacPhee retaining an easement over the southerly 5 feet of Lot 82, Registered Plan 1255 for a sanitary and storm sewer and that the Mayor and City Clerk are hereby authorized to sign the Quit Claim Deed.

NOTE: *This arises from a requisition on title whereby the wording was ambiguous as to whether the City initially received an easement of the 5 feet or the title to the 5 feet. All that was intended was that the City receive an easement and the Quit Claim Deed will so indicate. Lot 82, Registered Plan 1255, is located at 125 Fairway Hills Crescent.)*

CARRIED

Respectfully submitted,

(Signed) Ken Keyes (Chairman)
J. Gerrietsen
M. Gorham
K. Matthews
Y. Tarnowecky
Grant Timmins

UNFINISHED BUSINESS

Ald. Webb asked that the Building Inspection Department inspect the property in the eighties block on York Street.

Ald. Webb said that approximately 8 years ago a tree had blown down from the back yard of a property located at the corner of North and Rideau Streets onto the street. City employees had cut the tree up with a chain saw and the City charged the owner \$40.00. In order to avoid a law suit he paid this amount. Very recently a limb fell off a City tree adjoining this person's house. The owner had complained about the condition of this tree several times but nothing was done. The hydro wires leading into the house were damaged to the extent of \$160 and other damage was done as well. The owner's insurance has a \$100.00 deductible clause. He had complained to the City and the P.U.C. and was told to get a lawyer, which he has done. If he had the responsibility for his tree, then the City should be responsible in this case.

Mayor Keyes asked that this matter be referred to the Parks and Recreation Committee and to the City Solicitor.

Ald. Webb withdrew at 11:20 p.m.

Ald. Lampropoulos objected to the discomfort caused him at the last Planning Board meeting. He was invited to attend and was given permission to speak by the Chairman. After a brief presentation, Alderman Miller questioned this procedure. The Chairman of the Planning Board explained why he had been permitted to speak. Subsequently, he received a letter from Alderman Miller apologizing for any discomfort she may have caused him and explaining that the Chairman should ask the Board members for permission to have a non-Board member speak at a Planning Board Meeting.

Ald. Hawkins asked Mayor Keyes and the Chairman of the Planning Board to arrange, prior to the summer recess, a joint meeting of the Township of Kingston, Planning Board, City Council, Cataraqui Region Conservation Authority to discuss the effect of the approval of subdivisions on the west side of the Little Cataraqui Creek.

Ald. Hawkins asked that a sub-committee of Aldermen and appropriate Department Heads be established to look at the long range planning for the proposed, combined service building to house the Parks Department and Works Department equipment and operational headquarters to include services for the P.U.C. transit, Police Department, Fire Department and Transportation Department.

Alderman Hawkins said that he would like to bring up a matter related to the expressway. A new track has been constructed at Regiopolis College, eight feet from the street line on Stephen Street. If the City is interested in widening Concession and Stephen Streets, appropriate action should be taken now to suggest to Regiopolis College that the track be moved north before the track is surfaced. He requested that this matter be referred to the appropriate administrator.

Alderman Hawkins requested that Mayor Keyes call a special meeting of the P.U.C. and the City Council with regard to the dial-a-bus system. He explained the cost of the dial-a-bus system compared to the cost of the total bus system. He suggested that the City and the P.U.C. should take a look at the alternatives available in an effort to reduce the overall deficit.

Alderman Timmins said that at the last Finance Committee Meeting he had presented a letter from a citizen who was concerned about meter reading at his home. He had received a copy of a letter from the Chairman of the P.U.C. in this regard which was rather interesting. He had received a telephone call from a person in the same area who was also concerned about the meter reading by the P.U.C. He said that if it is the policy to estimate the bills, the general public should be told.

UNFINISHED BUSINESS (Cont'd)

Alderman Timmins said that in connection with the comments made by Alderman Lampropoulos regarding the Planning Board meeting, it was the first time that he could recall that permitting an elected person who was not on the Planning Board to speak had been questioned. Approval of the Board members was always asked if citizens or developers not previously scheduled wanted to speak.

Alderman Gerretsen commented on the articles in the Kingston Whig-Standard regarding the O.H.I.P. building. He feared that some of the public would be left with the impression that the City had lost out again and that City Council will be blamed. The articles appeared to be based on comments made by an unnamed civil servant. He explained the developments with regard to the O.H.I.P. site and said that he was pleased to see that members of Council shared the same feeling with regard to the procedures followed.

Alderman Gerretsen said he had talked to the local member of the Provincial Government over the weekend and asked him if he was aware of any change of plans with regard to O.H.I.P. He had been assured that the local member was not aware of any change. If another motion of Council is required then the City Council should pass one. There was no way, as long as he had a say, that the City Council would be made the scape goat. He explained that he had never intended in his answers to the reporter to give the impression that he did not agree with the Mayor.

Alderman Matthews said that in his opinion the problem is that the top civil servants do not want to come to Kingston.

Alderman Matthews said that with regard to the estimated bills of the Public Utilities Commission, persons have spent money to have their meters placed on the outside of their houses and the meters should be read, not estimated.

In response to a question from Alderman Matthews, Alderman Tarnowecy said that information with regard to the number of dogs the By-Law Enforcement Officers pick up is contained in the agenda of the Transportation Committee.

Alderman Matthews said that the By-Law Enforcement Officers should check Balsam Grove, Sherwood Drive, Hawthorne Avenue, Concession Street and the Victoria Street areas for dogs running at large.

Alderman Knapp said that he would like to make an appeal on behalf of a number of citizens with regard to noise created by student parties. He explained a situation on Colbourne Street where a resident had to call the police three times because of the noise created by a party being held by students.

Alderman Miller said that the new noise by-law has received final approval. She had discussed with the Police Chief the enforcement of the by-law and was told that procedures are now being developed for the control of noise.

Alderman Miller said that she did not feel that the stories regarding O.H.I.P. were irresponsible because she believed that the reporter thought he had a story. She was relieved that the members of Council who were interviewed by the reporter had come up with fairly consistent reports as to how things had happened.

Alderman Miller said that with respect to the comments made by Ald. Lampropoulos, she should not have written a letter of apology but just telephoned instead. She had only attempted to speak her feelings on the matter. She had attended a meeting of Public Works and asked the Chairman if she could speak on a certain item and the Chairman asked permission from the members of the Committee.

Alderman McArthur objected to the fact that the Kingston Whig-Standard had not distributed a "Weekend" magazine because of the article it contained, but then on this week's front page of the paper published the picture of a man taking his clothes off.

UNFINISHED BUSINESS (Cont'd)

Alderman Matthews said that with regard to the comments made by Ald. Miller it was his opinion that she had not asked permission to speak, but had asked that Item 13 on the agenda be brought up to Item 1 so that she could speak as she had another commitment. He believed that an alderman can speak at every City meeting and not be questioned by anyone.

12 Midnight

Moved by Alderman Timmins,
Seconded by Alderman Matthews,

That in accordance with Rule 16 of By-Law No. 1, permission be given to continue the City Council meeting until consideration of the agenda is completed.

CARRIED.

* * *

BY-LAWS

Council consented to the withdrawal of By-Laws 3, 4, 5, 9 and 11.

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That By-Laws 1, 2, 6 to 8, 10, and 12 to 16, be given their First and Second readings.

CARRIED

- (B) Moved by Ald. Timmins,
Seconded by Ald. Gerretsen,

That Rule No. 35 of By-Law 1 be suspended for the Purpose of Giving By-Laws 12 to 16 their Third Reading.

CARRIED

- (C) Moved by Ald. Gorham,
Seconded by Ald. Matthews,

That By-Laws 12 to 20 be given their Third Reading.

CARRIED

- (1) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act". (Clause 4, Report No. 44)

(FIRST & SECOND READINGS)
Clause 4, Report No. 44, 1979)

(PROPOSED NO. 79-76)

(Note: Ministry of Transportation Approval is NOT Required)

- (2) A By-Law to Amend By-Law No. 8, "A By-Law to Provide for the Licensing and Regulation of Dogs and Cats and for the Control of Animals Suspected of Having Rabies". (Penalty for Cats at Large).

(FIRST & SECOND READINGS)
Clause 7, Report No. 44, 1979

(PROPOSED NO. 79-77)

Ald. Knapp & Ald. Timmins opposed

BY-LAWS (Cont'd)

- (3) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of Such Parking Meters". (Clause 9, Report No. 44)

(FIRST & SECOND READINGS)
Clause 9, Report No. 44, 1979

(PROPOSED NO. 79-78)

WITHDRAWN

- (4) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act". (Clause 9, Report No. 44)

(FIRST & SECOND READINGS)
Clause 9, Report No. 44, 1979

(PROPOSED NO. 79-79)

(NOTE: Ministry of Transportation Approval is Required).

WITHDRAWN

- (5) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots". (Gorsline Parking Lot - Additional Metered Area).

(FIRST & SECOND READINGS)
Clause 9, Report No. 44, 1979

(PROPOSED NO. 79-80)

WITHDRAWN

- (6) A By-Law to Change the Name of the Highway known as "Green Drive" in the City of Kingston to "Greenview Drive".

(FIRST & SECOND READINGS)
Clause 10, Report No. 44, 1979

(PROPOSED NO. 79-81)

- (7) A By-Law to Amend By-Law No. 1998, "A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours". (Revise Regulations for Period June 1 to September 30).

(FIRST & SECOND READINGS)
Clause 1, Report No. 45, 1979

(PROPOSED NO. 79-82)

- (8) A By-Law to Amend the Official Plan of the City of Kingston Planning Area. (Amendment No. 1: Industrial Park, North of Counter Street).

(FIRST & SECOND READINGS)
Clause 1, Report No. 46, 1979

(PROPOSED NO. 79-83)

- (9) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone Industrial Area north of Counter Street and West of Division Street to Industrial Zone M, M.94, M.96 and FP).

(FIRST & SECOND READINGS)
Clause 1, Report No. 46, 1979

(PROPOSED NO. 79-84)

WITHDRAWN

- (10) A By-Law to Authorize the Construction of a Curb, Gutter, and Boulevard on the West Side of Montreal Street, from Russell Street to 105 feet South of Railway Street, Under the Provisions of Section 7 of The Local Improvement Act (Petition)

(FIRST & SECOND READINGS)

(PROPOSED NO. 79-85)

BY-LAWS (Cont'd)

- (11) A By-Law Respecting Smoking in the City of Kingston.

(SECOND READING)

(PROPOSED NO. 79-26)

Clause 2, Report No. 45, 1979
and Clause 4, Report No. 23,
1979

WITHDRAWN

- (12) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets".
(Banner-Girl Guides of Canada Meeting on May 4 to 6, 1979).

(THREE READINGS)

(PROPOSED NO. 79-86)

Clause 11, Report No. 44, 1979

- (13) A By-Law to Amend By-Law No. 14, "A By-Law Relating to Sewers
and Drains". (Storm Water Drain Connection - Donald Gordon
Centre - Queen's University).

(THREE READINGS)

(PROPOSED NO. 79-87)

Clause 1, Report No. 47, 1979

- (14) A By-Law to Amend By-Law No. 21, "A By-Law Fixing the Rental
to be Paid for Memorial Hall, Committee Rooms and Council
Chamber". (Clauses 1 and 2, Report No. 48).

(THREE READINGS)

(PROPOSED NO. 79-88)

Clauses 1 and 2, Report No. 48, 1979

- (15) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the
Regulation Use of Parks and Recreational Facilities of The
Corporation". (Add Club Storage Rates for Belle Park Fairway).

(THREE READINGS)

(PROPOSED NO. 79-89)

Clause 4, Report No. 48, 1979

- (16) A By-Law to Confirm the Proceedings of Council at its Meeting
Held on April 23, 1979 and April 24, 1979.

(THREE READINGS)

(PROPOSED NO. 79-90)

City Council Meeting No. 16, 1979

- (17) A By-Law to Amend By-Law No. 9111, "A By-Law to Authorize the
Construction of a 42 Inch Storm Sewer in Concession Street
from Division Street to 72 Feet West of Alfred Street and a 15
Inch Storm Sewer in Alfred Street from Concession Street
Northerly 48 Feet Under the Provisions of Section 7 of The
Local Improvement Act. (Petition)" (Increase Cost).

(THIRD READING)

(PROPOSED NO. 79-52)

Clause 16, Report No. 37, 1979

- (18) A By-Law to Regulate and Control Eating or Drinking Establish-
ments in the City of Kingston.

(THIRD READING)

(PROPOSED NO. 79-65)

Clause 2, Report No. 39, 1979

Ald. Knapp, Ald. Tarnowucky & Ald. Timmins opposed

BY-LAWS (Cont'd)

- (19) A By-Law to Adopt a New Official Plan for the City of Kingston Planning Area and to Repeal the Old Official Plan for the City of Kingston Planning Area. (Metric Consolidation).

(THIRD READING)

(PROPOSED NO. 79-67)

Clause 3, Report No. 41, 1979

- (20) A By-Law to Amend By-Law No. 5992, "A By-Law to Authorize the Execution of an Agreement with the Corporation of the County of Frontenac and the Corporation of the County of Lennox and Addington (District Health Unit)". (Increase Membership and Revise Method of Determination of Population of County of Frontenac).

(THIRD READING)

(PROPOSED NO. 79-68)

Clause 9, Report No. 43, 1979

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MOTIONS

- (1) Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That the sympathy of Council be expressed to the family of the late Cyril Robert Scott.

CARRIED

- (2) Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That Council do now adjourn.

CARRIED

Council adjourned at 12:05 a.m. April 24, 1979.

(L.S.)

(Signed) M.C. Healy
City Clerk

(Signed) Ken Keyes
Mayor

CITY COUNCIL MEETING NO. 17

Local Govt.

A Special Meeting of City Council, summoned by Mayor Keyes, will be held on Monday, April 30, 1979 at 5:00 p.m. in the Alderman's Library, City Hall, to consider Employee Negotiations with Local 109, Canadian Union of Public Employees.

ROLL CALL

COMMITTEE OF THE WHOLE

- (1) That Council resolve itself into a Committee of the Whole, NOT open to the Public, with Mayor Keyes in the Chair, to consider employee negotiations with Local 109, C.U.P.E.
- (2) That Council Rise from the Committee of the Whole and the Chairman Report.

COUNCIL

- (1) That the Report of the Committee of the Whole be adopted, approved and confirmed.

BY-LAWS

- (A) That By-Law 1 be given its First & Second Readings.
- (B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law 1 its Third Reading.
- (C) That By-Law 1 be given its Third Reading.

* * *

- (1) A By-Law to Confirm the Proceedings of Council at its Meeting Held April 30, 1979.

(THREE READINGS)

(PROPOSED NO. 79-91)

City Council Meeting No. 17, 1979

MOTIONS

CITY COUNCIL MEETING NO. 17

A Special Meeting of City Council, summoned by Mayor Keyes, was held on Monday, April 30, 1979 at 5:05 p.m. in the Alderman's Library, City Hall, to consider Employee Negotiations with Local 109, Canadian Union of Public Employees. His Worship Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Bishop (arrived at 5:46 p.m.), Ald. Clark, Ald. Clements (left at 5:46 p.m.), Ald. Gerretsen, Ald. Gorham (arrived at 5:45 p.m.), Ald. Hawkins, Ald. Lampropoulos, Ald. Matthews, Ald. Miller (arrived at 5:19 p.m.), Ald. Tarnowewy, Ald. Timmins, Ald. Webb (left at 5:46 p.m.) (13).

COMMITTEE OF THE WHOLE

- (1) Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That Council resolve itself into a Committee of the Whole, NOT open to the Public, with Mayor Keyes in the Chair, to consider employee negotiations with Local 109, C.U.P.E.

CARRIED

- (2) Moved by Ald. Gerretsen,
Seconded by Ald. Clark,

That Council Rise from the Committee of the Whole and the Chairman Report.

COUNCIL

CARRIED

Mayor Keyes reported that the Committee of the Whole considered and approved the following motions:

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That the recommendations of the Negotiating Committee concerning negotiations with Local 109, C.U.P.E., as detailed in "Memorandum of Settlement" between Canadian Union of Public Employees and its Local 109 and The Corporation of the City of Kingston, dated April 25, 1979, are hereby accepted, adopted, approved and confirmed.

CARRIED

- (B) Moved by Ald. Webb,
Seconded by Ald. Timmins,

That the commendation of Council be extended to the members of the City Negotiating Committee for their efforts in obtaining an agreement with Local 109

and

That the congratulations of Council be extended to the members of Local 109, C.U.P.E. Negotiating Committee for their co-operation to obtain a mutually satisfactory agreement.

CARRIED

COUNCIL (Cont'd)

- (C) Moved by Ald. Hawkins,
Seconded by Ald. Lampropoulos,

That there be no meeting of City Council on May 22, 1979,

and

That the Committee of the Whole System of Council commence at the meeting of Council on May 28, 1979, to start at 7 p.m. instead of 8 p.m.

CARRIED

- (1) Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

BY-LAWS

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That By-Law 1 be given its First & Second Readings.

CARRIED

- (B) Moved by Ald. Matthews,
Seconded by Ald. Tarnowucky,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law 1 its Third Reading.

CARRIED

- (C) Moved by Ald. Timmins,
Seconded by Ald. Gerretsen,

That By-Law 1 be given its Third Reading.

CARRIED

* * *

- (1) A By-Law to Confirm the Proceedings of Council at its Meeting Held April 30, 1979.

(THREE READINGS)

(PROPOSED NO. 79-91)

City Council Meeting No. 17, 1979

* * *

MOTIONS

- (1) Moved by Ald. Miller,
Seconded by Ald. Tarnowucky,

That Council do now adjourn.

CARRIED

Council Adjourned at 5:48 p.m.

(L.S.)

(Signed) M.C. Healy
City Clerk

(Signed) Ken Keyes
Mayor

A Special Meeting of City Council, summoned by Mayor Keyes, will be held on Monday, May 14, 1979 at 7:00 p.m. in the Alderman's Library, City Hall, to consider Employee Negotiations with The Kingston Professional Fire Fighters Association.

ROLL CALL

COMMITTEE OF THE WHOLE

- (1) That Council resolve itself into a Committee of the Whole, NOT open to the Public, with Mayor Keyes in the Chair, to consider employee negotiations with The Kingston Professional Fire Fighters Association.
- (2) That Council Rise from the Committee of the Whole and the Chairman Report.

COUNCIL

- (1) That the Report of the Committee of the Whole be adopted, approved and confirmed.

BY-LAWS

- (A) That By-Law 1 be given its First & Second Readings.
- (B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law 1 its Third Reading.
- (C) That By-Law 1 be given its Third Reading.

* * *

- (1) A By-Law to Confirm the Proceedings of Council at its Special Meeting Held May 14, 1979.

(THREE READINGS)
City Council Meeting No. 19, 1979

(PROPOSED NO. 79-92)

MOTIONS



JUN 21 REC'D

CITY COUNCIL MEETING NO. 18

A Special Meeting of City Council, summoned by Mayor Keyes, was held on Monday, May 14, 1979 at 7:17 p.m. in the Alderman's Library, City Hall, to consider Employee Negotiations with The Kingston Professional Fire Fighters Association. His Worship Acting Mayor Ald. Gerretsen Presided.

ROLL CALL

Acting Mayor Ald. Gerretsen, Mayor Keyes (arrived at 7:22 p.m.), Ald. Bishop, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews (arrived at 7:54 p.m.) Ald. Miller, Ald. Timmins (10).

COMMITTEE OF THE WHOLE

- (1) Moved by Ald. Hawkins,
Seconded by Ald. Lampropoulos,

That Council resolve itself into a Committee of the Whole, NOT open to the Public, with Acting Mayor Ald. Gerretsen in the Chair, to consider employee negotiations with The Kingston Professional Fire Fighters Association.

CARRIED

- (2) Moved by Ald. Bishop,
Seconded by Ald. Gorham,

That Council Rise from the Committee of the Whole and the Chairman Report.

CARRIED

COUNCIL

Acting Mayor Ald. Gerretsen reported that the Committee of the Whole considered and approved the following motion:

- (A) Moved by Ald. Bishop,
Seconded by Ald. Matthews,

That the recommendations of the Negotiating Committee concerning negotiations with The Kingston Professional Fire Fighters Association as detailed in "Memorandum of Terms of Settlement" between The Kingston Professional Fire Fighters Association and its Local 498, I.A.F.F., and The Corporation of the City of Kingston, dated February 15, 1979 and May 4, 1979, are hereby accepted, adopted, approved and confirmed.

CARRIED 7:3

- (1) Moved by Ald. Bishop,
Seconded by Ald. Matthews,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

BY-LAWS

- (A) Moved by Ald. Bishop,
Seconded by Ald. Miller,

That By-Law 1 be given its First & Second Readings.

CARRIED

- (B) Moved by Ald. Bishop,
Seconded by Ald. Miller,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of
Giving By-Law 1 its Third Reading.

CARRIED

- (C) Moved by Ald. Bishop,
Seconded by Ald. Miller,

That By-Law 1 be given its Third Reading.

CARRIED

* * *

- (1) A By-Law to Confirm the Proceedings of Council at its Special
Meeting Held May 14, 1979.

(THREE READINGS)

City Council Meeting No. 18, 1979

(PROPOSED NO. 79-92)

* * *

MOTIONS

- (1) Moved by Ald. Bishop,
Seconded by Ald. Miller,

That Council do now adjourn.

CARRIED

Council Adjourned at 8:00

(L.S.)

(Signed) *M.C. Healy*
City Clerk

(Signed) *John Gerretsen*
Acting Mayor

CITY COUNCIL MEETING NO. 19

The Regular Meeting of City Council will be held on Monday, May 14, 1979, in the Council Chamber, City Hall, at 8:00 p.m.

ROLL CALL

PRESENTATION

of

AWARD FOR OUTSTANDING ACHIEVEMENT

to

Kingston J & J Towing Service O.M.H.A.

Novice "AAA" 1978-1979 ALL-STAR TEAM

WINNERS of

OSHAWA TOURNAMENT CHAMPIONS

QUINTE-ST. LAWRENCE LEAGUE - "Pennant Winners"

QUINTE-ST. LAWRENCE LEAGUE - "Playoff Winners" (Grand Champions)

EASTERN ONTARIO "FINALISTS"

KINGSTON TOWNSHIP TOURNAMENT "B" CHAMPIONS

MISSISSAUGA NOVICE TOURNAMENT "American Conference Champions"

TABLING OF DOCUMENTS

MINUTES

That the Minutes of City Council Meetings Nos. 16 and 17, held on April 23 and April 30, 1979, respectively, be adopted as printed.

COMMUNICATIONS

To Be Filed

- (262) From The Ontario Association for the Mentally Retarded thanking the City for its donation for their 26th Annual Conference.

To Be Referred to the Police Commission

- (263) From Flora MacDonald, M.P. endorsing City Council's resolution that the Federal Government be asked to subsidize the cost of policing Kingston because of the effects of the penitentiaries in the area.

Which Has Been Referred to Planning Board

- (264) From Mrs. Irene Mooney, objecting to the zoning By-law amendment for the property at 447 Division Street. (By-Law No. 79-30)

COMMUNICATIONS (Cont'd)To Be Filed

- (265) Decision of the Ontario Municipal Board granting, in part, the appeal against the decision of the Committee of Adjustment (granting Suzangee Limited a minor variance from the provisions of By-Law No. 8499 to reduce front yard set back from 25 feet to 9.5 feet) by varying the front yard set back from 25 feet to 14 feet to permit construction of a detached garage on understanding that if the setback of 14 feet cannot be achieved the Board could be spoken to further, within 30 days of April 18, 1979.
- (266) From Helen S. Finley, President of the Frontenac Historic Foundation concerning the proposal of the Downtown Business Association for the construction of the Princess Street Promenade and requesting support from the City for this project.

Which Has Been Referred to Planning Board

- (267) From Mr. Karl Kramil representing the Board of Directors for the Kingston Downtown Business Association, outlining six resolutions passed by the Organization at a recent meeting for the purpose of informing the City of the Association's strong support for the revitalization of the downtown central business district.

(Note: Copy distributed to each member of Council)

To Be Referred to Public Works

- (268) From the Ministry of Intergovernmental Affairs forwarding a copy of Bill 46 to amend The Local Improvement Act which would permit issue of debentures prior to completion of the work or after a firm contract has been entered into.

To Be Filed

- (269) From the Ontario Good Roads Association forwarding to the City a copy of their booklet outlining the events that took place during their annual convention held on February 26, 1979.

Has Been Referred to the Parks & Recreation Administrator

- (270) From the Sydenham Ward Tenants' and Ratepayers' Association notifying the City of their concern over the current condition of the City Park and the Cricket Field.

To Be Filed

- (271) From the Ministry of Transportation & Communications advising Council that they have directed an advance payment of subsidy in the amount of \$369,300 to the City, being 30% of normal subsidy allocation.

To Be Referred To Planning Board

- (272) From Dr. H. Westenberg submitting an application for zone change requesting permission to relocate his office from 115 Lower Union Street to 81 King Street East which is presently zoned "A" Residential

COMMUNICATIONS (Cont'd)To Be Filed

- (273) From Mrs. Mary Ellen Douglas writing to the City on behalf of VITA, a pro-life group of citizens who will gather in Silent Vigil in front of Kingston General Hospital on Sunday, May 13, 1979, Mother's Day, in protest of abortion.

(Copies have been distributed to all members of Council)

- (274) From the Ministry of Housing informing the City that the government plans to produce a White Paper this spring on The Planning Act. This document will be given wide public distribution and all concerned will have the opportunity to comment on the proposals.

Referred To Planning Board

- (275) From Bell Canada submitting their application for zone change to the City with the request that Section 5 "General Provisions for all Zones" Subsection 5.1 "Permitted Uses" be amended in order that Bell Canada or a Telephone Company be included as a permitted use in all Zones.

Has Been Referred to Transportation Department

- (276) From Reverend Antonio Pires, Portuguese Parish Pastor, Kingston Portuguese Canadian Community, requesting permission from the City to hold a candle-light procession on May 26, 1979.

To Be Referred to Planning Board

- (277) From Jehuda J. Kamner, Barrister & Solicitor, informing the City that his clients, Leslie Hutchinson and King Mui Kwai withdraw their objection to the Restricted Area Zoning By-Law No. 9324 rezoning 848 Portsmouth Avenue.
- (278) From Wayne C. Gay submitting an application for zone change to the City to permit construction of an addition to an existing office building at 119 Barrack Street.

To Be Filed

- (279) From A.C.E. Ritter, Chairman of Kingston and Area Senior Citizens Council Inc. thanking the City for their contribution for the operation of services for Senior Citizens.
- (280) From Andrew Shaw, General Manager of Friends of Chamber Music, Inc., The String Quartet Institute thanking the City for their consideration in permitting them to use Memorial Hall on the evening of July 6, 1979.

PETITIONS

REPORTS

April 26, 1979.

To the Mayor and Aldermen:

The Community Services Committee reports and recommends as follows:

1. That the Agreement between the City of Kingston and Dr. Richard T. Milne for provision of medical services to the City of Kingston Fire Department be amended as follows:

- a) Delete from Clause 1 (f) the words "or other authorized City Official" and substitute the words "or Deputy Chief" so that Clause 1 (f) shall now read as follows:

"(f) The provision of routine reports as to medical condition upon request of the Fire Chief or Deputy Chief."

2. That By-Law No. 79-26, "A By-Law Respecting Smoking in the City of Kingston", be amended to delete all reference to policing by the proprietors in Sections 4, 10, 14, 19, 23, 27, 31, 35 and 41 and to remove all penalty sections in the case of each of the uses where smoking is regulated i.e. Sections 5, 11, 15, 20, 24, 28, 32, 37 and 42 with the general penalty section, Section 45, to apply to infractions of the by-law, and be presented to Council for second reading.

(Note: A copy of the proposed by-law, as amended, is attached hereto as Schedule "A".

These changes were recommended by the City Solicitor after receipt of the decision of the Divisional Court of the Supreme Court of Ontario respecting Toronto's smoking by-law.)

Alderman Hawkins opposed.

- 3.a) That an agreement be entered into with Family Counselling Service of Kingston, Incorporated for the provision of counselling services at the rate of \$25.00 per hour up to a maximum for 1979 of \$4,100 for the following:

- i) Those Kingston residents in receipt of General Welfare Assistance and Family Benefit Allowance payments.

- ii) Those Kingston residents who are employed and whose net income is less than \$10,000.

- iii) Those residents whose net income is over \$10,000 and who are unable for various reasons to pay the cost of service.

- b) That an agreement be entered into with Kingston Interval House for the provision of lodging for persons in need on the following conditions:

- i) That Kingston Interval House agrees to provide lodging for persons in need who are eligible for general welfare assistance.

- ii) That the Social Services Administrator of the City shall determine, in accordance with the regulations, if a person is eligible for such assistance.

- iii) Payment of \$14.00 per diem for each person eligible for assistance, such rate to be subject to the approval of the Ministry of Community and Social Services.

3.b) (cont'd.)

- iv) Provision for a maximum payment of \$32,000 by the City during 1979, if required.
- v) Provision for the term of the agreement to be January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as a new agreement has been executed.
- c) That an agreement be entered into with the Kingston Day Care Incorporated for the provision of day care services in 1979, containing the following conditions:
 - i) That payment will be made at the rate of \$14.06 per pupil per diem.
 - ii) Payment of transportation cost of \$1.75 per pupil per day for those using the service.
 - iii) Provision for a maximum amount of \$47,200 in 1979, if required.
 - iv) Provision for the term of the agreement to be January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as a new agreement has been executed.
- d) That an agreement be entered into with Family Day Care for the provision of Private Home Care for children of persons in need on the following conditions:
 - i) Payment of \$9.92 for each child per diem for private home care, less the fees, if any, payable by the child's parent.
 - ii) Fees payable by the child's parent shall be determined in accordance with the Regulations under the General Welfare Assistance Act.
 - iii) Provision for a maximum payment of \$4,100 by the City during 1979, if required.
 - iv) Review of the parent's financial position if deemed necessary by the Administrator after each six month period.
 - v) Provision for the term of the agreement to be January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as a new agreement has been executed.
- e) That an agreement be entered into with the Canadian Red Cross Society (Kingston Branch) for the provision of homemaker services during 1979 on the following conditions:
 - i) If the financial circumstances of the person applying for homemaker services does not permit him to pay in full the required fees, the City will pay for such services either in full or in part. The fees for such services shall be as follows:
 - a) \$34.00 per 8 hour day, or if less than 8 hour, the sum of \$4.25 per hour, with a minimum of 2 hours payment, and \$51.00 for each period of twenty-four hours service.
 - b) Provision shall be made for a maximum payment of \$14,000 by the City during 1979, if required.
 - c) If the minimum wage is increased or other legislation is passed which affects the Society's personnel who provide homemaker services, the rates are subject to revision.
 - d) Provision for the term of the agreement to be from January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as a new agreement has been executed.

3. f) That an agreement be entered into with the Victorian Order of Nurses for the provision of nursing services during 1979 on the following conditions:
- i) If the financial circumstances of the person applying for this service does not permit him to pay in full the required fees, the City will pay for such services either in full or in part. The fee for said services shall be \$12.56 per visit.
 - ii) A maximum amount of \$500.00 is to be paid by the City during 1979, if required.
 - iii) Provision for the term of the agreement to be from January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as a new agreement has been executed.

- g) That agreements be entered into with the following organizations for the day care and day nursery services with the per diem rate to be as shown and the maximum amount to be paid by the City as shown:

	<u>Per Diem</u>	<u>Maximum Amount</u>
i) The Polson Park Free Methodist Church (West End Day Care)	\$10.82	\$20,000.
ii) Complex Co-op Nursery School Inc.	2.69	2,235.
iii) Helen Tuft's Nursery School Incorporated	3.60	13,986.
iv) Allen-Detweiller Nursery School	2.96	1,680.
v) Chalmers Nursery School	1.88	430.
vi) St. Matthews Nursery School	2.72	2,520.

- (vii) Provision for the terms of the agreements shall be for the period from January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as new agreements have been executed.

4. That as concurred in by the Chief Building Official, the following guidelines be established for the administration of the Property Standards By-Law:

- a) Notices and Orders relating to yards and/or possible emergency repairs that may require immediate attention:

Notices: A one week to ten day reinspection date for local mail delivery, two week reinspection for out-of-town mail.

Orders: A one week to ten day reinspection date for local mail delivery, two week reinspection for out-of-town mail delivery, plus the Order would state that if the necessary work is not completed on the reinspection date, the City will do the necessary work and either bill the owner or add the cost of the clean-up or repairs to the Municipal Taxes.

- b) Notices and Orders relating to a considerable amount of general repairs dealing with interior and exterior work or both:

Notices: A three week reinspection date for all mail either local or out-of-town.

Orders: A three week reinspection date for all mail either local or out-of-town, plus if an appeal is received within fourteen days in accordance with Section 6.13 of By-Law 8597 the above reinspection date may be extended by the Property Standards Committee.

If an Order is not appealed within the time limits of the By-Law and the work is not completed on the reinspection date, an Information Sheet will be Sworn out against the Owner in Provincial Court.

4. (cont'd).

- c) Flexibility on the time limits should be allowed in certain circumstances, i.e.
 - i) On large jobs where more than one contractor has been asked to submit tenders.
 - ii) Properties that may be under the control of an officer from the Provincial Trustees Office.
 - iii) Properties under Court Order relating to Divorce Cases or Estate Settlements.
 - iv) Or other unforeseen circumstances where time limits are set out and enforcement is not practical.
- d) That Orders not be issued for seasonal work when it is impractical to have this type of work done i.e. outside painting in the winter months.
- e) In emergency situations action should be taken to have the work done before the matter came to court by the City and the cost of the clean-up or repairs billed to the owner or added to the Municipal Taxes.

"Emergency Situations" are defined as follows:

"Where the safety of the public is involved if the work is not done."

An Order must be delivered to the homeowner advising that the City will do the work if it is not done by the homeowner within a certain time.

5. That a by-law be enacted to license, regulate and govern trailer camps and for licencing trailers pursuant to the provisions of Section 383(15) and Paragraph 87 of Section 354(1) of The Municipal Act, R.S.O. 1970, Chapter 284, as amended by The Municipal Amendment Act, 1976 with trailers located in the municipality for the purpose of sale or storage only to be exempted from the by-law;

-and further-

That By-Law No. 1023 of The Corporation of the City of Kingston entitled 'A By-Law to Prohibit the Use of Trailers for Certain Purposes' be repealed.

(Note: A copy of the proposed trailer licensing by-law is attached hereto as Schedule 'B')

6. That By-Law No. 3, 'A By-Law Respecting Certain Officials of the Corporation' be amended to add the following policy with regard to public access to documents:
- 1) Subject to Section 4, Department Heads shall permit any person, during office hours, to inspect any records, books, accounts, documents, correspondence and reports in their possession, which have been reported to Council; information not yet reported to Council, which is required to be published under The Planning Act, shall be made available to public meetings.
 - 2) Upon request and payment of the rate fixed by Council, the Clerk shall furnish certified copies of any of the foregoing records or extracts from them within a reasonable time to any person.
 - 3) Records under the jurisdiction of the Chief Building Official shall be made public at the discretion of the Chief Administrative Officer and in the event that a person or persons disagree with

6. (cont'd).

the decision of the Chief Administrative Officer said person or persons may apply to Council to have the information made available.

- 4) The foregoing policy shall not apply to confidential records under the Marriage License Act, the Vital Statistics Act, the Municipal Elections Act; nor to items considered at "In Camera" meetings of Council, such as:

land acquisition, negotiating guidelines, personnel matters, medical reports and advice from the City Solicitor where court action is involved.

- 5) That public statements by City Staff that reflect City policy shall be co-ordinated by one person, i.e. the Chief Administrative Officer or his designate (approved by Council October 16, 1978, Page 774, Item "P").

and further -

that the charge for photocopies of records shall be twenty-five cents (25¢) per page and twenty-five cents (25¢) per page for copies of material that has been printed by the off-set printer.

7. WHEREAS the Ministry of Consumer and Commercial Relations selected an Advisory Committee to prepare a regulation to govern firefighting, fire safety, fire prevention and maintenance of existing buildings for consideration by the Ministry; and

WHEREAS the said document was presented in the January 13th 1979 issue of the Ontario Gazette with a request for public comment; and

WHEREAS the Fire Chief and staff of the Kingston Fire Department have reviewed the said document and recommended to the Community Services Committee at its March 29th and April 26th meetings that the Corporation of the City of Kingston respond to the request for comment;

THEREFORE BE IT RESOLVED THAT, as recommended by the Fire Chief, the Technical Standards Division of the Ministry of Consumer and Commercial Relations be notified that the Corporation of the City of Kingston supports the recommendations contained in the Advisory Committee Report as set out on pages (i) to (v) in the January 13th issue of the Ontario Gazette, summarized as follows:

- a) The Ontario Fire Code should be under the jurisdiction of the Solicitor General (Ontario Fire Marshal's Office).
- b) Fire Departments should be responsible for enforcing the Code at the Municipal Level.
- c) The authority having jurisdiction be named the Chief Fire Official.
- d) Fire Prevention Officers, where they exist, be named Inspectors under the Ontario Fire Code.

Respectfully submitted,

CHAIRMAN.

Clause 4, Report No. 23, 1979
and Clause 2, Report No. 50, 1979

BY-LAW NO. 79-26

A BY-LAW RESPECTING SMOKING IN THE CITY OF KINGSTON

PASSED:

WHEREAS it has been determined that second-hand tobacco smoke, (exhaled smoke and the smoke from idling cigarettes, cigars and pipes), is a health hazard or discomfort for many inhabitants of the City of Kingston;

AND WHEREAS it is desirable for the health, safety and welfare of the inhabitants of the City of Kingston to prohibit or regulate smoking, or both, in the City of Kingston, as in this by-law more particularly set out;

NOW THEREFORE the Council of The Corporation of the City of Kingston enacts as follows:

1. In this by-law,
 - (a) "City" means the City of Kingston;
 - (b) "retail shop" means a building or part of a building, booth, stall or place where goods are exposed or offered for sale by retail, but does not include a place where the only trade or business carried on is that of a licenced hotel or tavern, victualling house or refreshment house, nor a place where the only trade or business carried on is that of the custom blending of tobaccos, or sale of tobaccos, pipes, cigars or smokers' sundries;
 - (c) "service line" means an indoor line of two (2) or more persons awaiting service of any kind, regardless of whether or not such service involves the exchange of money, including but not limited to, sales, provision of information, transactions or advice and transfers of money or goods;
 - (d) "smoke" or "smoking" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;
 - (e) "proprietor" means the person who ultimately controls, governs or directs the activity carried on within the kinds of premises referred to in this by-law and includes the person actually in charge thereof;

- (f) "reception area" means the public space used by an office or establishment for the receiving or greeting of customers, clients or other persons dealing with such office or establishment.

RETAIL SHOPS

2. No person shall smoke in any retail shop except in a part thereof used as a restaurant, lunch counter, hairdressing parlour, barber shop, rest room, or a part used as offices by members of the staff.

3. The proprietor of every retail shop shall ensure that a sufficient number of signs as prescribed by Section 25 hereof or otherwise by this by-law permitted, shall be prominently displayed so as to be clearly visible from all parts of each floor to which Section 2 applies.

HOSPITALS

4. (i) Subject to Section 7, no person shall smoke in any patient care area in a hospital.

(ii) Subject to Section 5, no person shall smoke in any area of a hospital, (other than a patient care area), to which members of the public have access.

5. Smoking areas may be designated by the proprietor in the area referred to in Subsection (ii) of Section 4 hereof, (exclusive of places in which smoking is prohibited by the Fire Marshal or by other law, by-law or regulation), provided not more than 50 per centum of the floor area so referred to shall be so designated.

6. The proprietor shall ensure that signs designating areas as smoking or non-smoking where such signs are required or permitted by this by-law, shall be sufficiently and conspicuously posted so as to apply clearly to the areas so designated and in the case of signs indicating "no smoking", that such be in the form prescribed by Section 25 or otherwise as permitted by this by-law.

7. (i) Notwithstanding the provisions of Section 4 hereof, patient may be permitted to smoke with written permission of the personal physician of such patient.

(ii) Where permission is granted under Subsection (i) hereof, any patient who may be affected as a result thereof, may request non-smoking accommodation and upon such request shall be provided with such accommodation.

BANKS, FINANCIAL INSTITUTIONS AND MUNICIPAL OFFICES

8. No person shall smoke at any service counter in a bank, financial institution or municipal office.

9. In every bank, financial institution and municipal office referred to in Section 8 hereof, the proprietor shall ensure that a sufficient number of signs as prescribed by Section 25 hereof or otherwise permitted by this by-law, shall be conspicuously posted so as to refer clearly to the service counter referred to in Section 8 hereof.

RECEPTION AREAS

10. No person shall smoke in any reception area in an establishment or an office.

11. Smoking areas in reception areas of establishments or offices, (except for reception areas of offices where services related to health care are performed), may be designated by the proprietor provided that areas so designated may not exceed more than 50 per centum of the reception floor area.

12. The proprietor of an establishment or office to which Section 10 applies shall ensure that signs designating areas as smoking or non-smoking, where required or permitted by this by-law, shall be sufficiently and conspicuously posted so as to apply clearly to the areas so designated and in the case of signs indicating "no smoking", that such be in the form prescribed by Section 25 or otherwise as permitted by this by-law.

ELEVATORS AND ESCALATORS

13. (i) Subject to Subsection (ii) hereof, no person shall smoke in an elevator or on an escalator in any building or part thereof.

(ii) Subsection (i) does not apply to elevators, escalator or similar devices to which The Elevators and Lifts Act, R.S.O. 1970, Chapter 143, as amended from time to time, does not apply

14. The proprietor of any building or part thereof to which Section 13 applies shall ensure that a sufficient number of signs as prescribed by Section 25 hereof or otherwise permitted by this by-law, shall be sufficiently and conspicuously posted so as to apply clearly to the areas regulated by the said section.

SERVICE LINE

15. No person shall smoke in any service line on any premises.

16. The proprietor of any premises to which Section 15 applies shall ensure that a sufficient number of signs as prescribed by Section 25 hereof or otherwise permitted by this by-law shall be prominently displayed so as to be clearly visible to persons in the service line.

SCHOOL BUSES

17. (i) No person shall smoke in a school bus.

(ii) "School Bus" means any vehicle used for transporting children.

18. In every school bus, the proprietor shall ensure that a sufficient number of signs as prescribed by Section 25 hereof or otherwise permitted by this by-law, shall be prominently displayed so as to be clearly visible from all parts of the school bus.

RESTAURANTS

19. (i) "No Smoking" areas may be designated by the proprietor of a restaurant in areas exclusive of those in which smoking is already prohibited by Order of the Fire Marshal or by other Act, order, regulation or by-law.

(ii) When a proprietor designates a "No Smoking" area under Subsection (i) hereof, he shall

(a) post signs which designate the "no smoking" area in a conspicuous location in the area so designated, and

(b) arrange seating to provide a smoke-free area.

20. No person shall smoke in an area designated as "No Smoking" pursuant to Section 19 hereof.

21. Every proprietor of a restaurant shall post a sign visible from the outside of the restaurant indicating whether or not the restaurant provides a "no smoking" area.

THEATRES AND OTHER PLACES OF PUBLIC ASSEMBLY

22. Subject to Section 23, no person shall smoke in any enclosed indoor area being used as a place of public assembly.

23. (i) The proprietor of a place of assembly referred to in Section 22 may designate an area not to exceed 50 per centum of the total floor area of such place of assembly as a smoking area and where so designated such area shall bear the sign, "Smoking In This Area Only".

(ii) Where an area has been designated in accordance with Subsection (i) hereof, smoking shall be permitted in such area.

24. The proprietor of premises to which Sections 22 and 23 apply shall ensure that a sufficient number of signs as prescribed in Section 25 hereof or otherwise permitted by this by-law shall be prominently displayed so as to be clearly visible from all parts of each floor to which such sections apply.

SIGNS

25. (i) For the purpose of Subsection (ii) hereof, the letter height means the actual height of the letter regardless of whether it is a capital or lower case letter.

(ii) Where by a section of this by-law, a sign is to be in accordance with this section, such sign shall:

- (a) carry the text "No Smoking" in capital or lower case letters, or a combination thereof;
- (b) consist of two (2) contrasting colours, or if the lettering is to be applied directly to a surface or to be mounted on a clear panel, the lettering shall contrast to the background colour;
- (c) with respect to size of lettering, be not less than the following heights:
 - (1) ten (10') feet or less - letter height of one (1") inch,
 - (2) twenty (20') feet or less - letter height of two (2") inches,
 - (3) forty (40') feet or less - letter height of three (3") inches,
 - (4) eighty (80') feet or less - letter height of four (4") inches,
 - (5) one hundred and sixty (160') feet or less - letter height of six (6") inches, and
 - (6) two hundred and forty (240') feet or less - letter height of eight (8") inches;
- (d) include in the text at the bottom of each sign "City of Kingston By-Law No. 79- , Maximum Penalty \$1,000.00", in letters not less than one-half ($\frac{1}{2}$) of an inch in height for signs with letter size of one (1") inch, and not less than one-quarter ($\frac{1}{4}$) of the height of the letters on all other sizes of signs.

26. (i) Notwithstanding the provisions of Section 25 hereof, one of the following graphic symbols may be used to indicate "no smoking" areas. Each symbol shall include the text "City of Kingston By-Law No. 79- , Maximum Penalty \$1,000.00" in letters and figures at least 5 per centum of the diameter of the circle in the symbol and there may be added appropriate symbols such as directional arrows. Any such symbol shall be on a white background with the circle and the interdictory

stroke in red, with a cigarette, letters and figures in black, provided such symbol complies with the other provisions of this section.

(ii) With respect to size of the graphic symbol, the diameter of the circle in the symbol referred to in Subsection (i) hereof shall be not less than the number of inches prescribed below, based upon the maximum viewing distance in direct line of sight, as follows:

- (a) ten (10') feet or less - four (4") inches,
- (b) twenty (20') feet or less - six (6") inches,
- (c) forty (40') feet or less - eight (8") inches,
- (d) eighty (80') feet or less - twelve (12") inches,
- (e) one hundred and sixty (160') feet or less - sixteen (16") inches,
- (f) two hundred and forty (240') feet or less - twenty-four (24") inches.

(iii) Notwithstanding that the symbol in Subsection (i) is a cigarette, it shall include a lighted cigar, cigarette, pipe or any other lighted smoking equipment.

PENALTY

27. Any person who smokes in contravention of this by-law, or otherwise contravenes this by-law, is guilty of an offence and shall upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

EFFECTIVE DATE

28. This by-law shall come into force and take effect on its passing.

GIVEN FIRST AND SECOND READINGS May , 1979.

GIVEN THIRD READING AND FINALLY PASSED

CITY CLERK

MAYOR

BY-LAW NO. 79-

A BY-LAW TO LICENSE, REGULATE AND GOVERN TRAILER CAMPS
AND TO LICENSE TRAILERS IN THE CITY OF KINGSTON, AND
TO REPEAL BY-LAW NO. 1023

PASSED:

WHEREAS the municipality may pass by-laws for licencing, regulating and governing trailer camps and for licencing trailers pursuant to the provisions of Section 383(15) and paragraph 87 of Section 354(1) of The Municipal Act, R.S.O. 1970, Chapter 284, as amended by The Municipal Amendment Act, 1976;

AND WHEREAS the municipality of The Corporation of the City of Kingston deems it appropriate to enact such a by-law;

THEREFORE the Council of The Corporation of the City of Kingston enacts as follows:

1. In this by-law, the following shall serve as definitions:
 - (a) "trailer camp" means land in or upon which any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by motor vehicle, is placed, located, kept or maintained, notwithstanding that such vehicle is jacked-up or that its running gear is removed, but not including any vehicle unless it is used for the living, eating or sleeping accommodations for persons therein;
 - (b) "trailer" means any vehicle so constructed that it is suitable for being attached to a motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up, or that its running gear is removed.

2. In any area of the City of Kingston where an agreement is entered into between the City and a trailer camp operator or owner, for the operation of a trailer camp, a licence fee of \$20.00 per month shall be paid in advance by the owner of such trailer camp for each lot made available by such owner for the occupancy of a trailer during the currency of the licence and the use of any lots for the occupancy of trailers without a licence is hereby prohibited.
3. No owner of a trailer shall keep such trailer in the City of Kingston except in a trailer camp authorized or licenced by the municipality for any period longer than 30 days without first obtaining a licence from The Corporation of the City of Kingston.
4. The licence fee shall be \$20.00 per month payable in advance.
5. No licence fee shall be charged in respect of a trailer assessed under The Assessment Act.
6. This by-law shall not apply to a trailer when located in the municipality only for the purpose of sale or storage.
7. Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty to a maximum of \$1,000.00 and the fine is recoverable under The Summary Convictions Act.
8. By-Law No. 1023 of The Corporation of the City of Kingston entitled "A By-Law to Prohibit the Use of Trailers for Certain Purposes" is hereby repealed.

9. This by-law shall come into force and take effect on its passing.

GIVEN FIRST AND SECOND READINGS May , 1979.

GIVEN THIRD READING AND FINALLY PASSED

CITY CLERK

MAYOR

To the Mayor and Aldermen:

April 25th, 1979.

The Transportation Committee reports and recommends as follows:

1. That \$10,000. of the account of E. S. Fox Limited, in the amount of \$14,280. for supply and installation of Marker Strobe Lights at the Norman Rogers Airport, be paid.

NOTE: This recommendation is conditional on satisfactory work progress being made as at May 9th, 1979.

2. That the firm of Quintal and England be retained for the supply of labour, material and equipment to install a new roof over the existing roofing on the leanto of Hangar No. 3 as outlined in their quotation dated March 28th, 1979, at a cost of \$4,580.00.

NOTE: Funds are available in the 1979 Budget for this purpose.

3. WHEREAS the Kingston Area Planning Board resolved that approval of Official Plan Amendment No. 16 of the Township of Kingston be recommended to the Ministry of Housing, to change the designation from ENVIRONMENTAL PROTECTION AREAS

(a) for the area within the proposed subdivision, to "LOW DENSITY RESIDENTIAL"; and

(b) for the area on the Kingston Airport property, to "AIRPORT".

NOW THEREFORE BE IT RESOLVED that the City of Kingston does not object to Official Plan Amendment No. 16, but recommends that the small triangular shaped land west of the proposed north/south arterial road and adjacent to the Kingston Airport boundary be designated "AIRPORT" to be consistent with the adjacent land on the west and south boundaries of this area.

Respectfully submitted,

Chairman

Report No. 52

April 26, 1979

To the Mayor and Aldermen

The Parks and Recreation Committee recommends
as follows -

1. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the United Way of Kingston and District be permitted to use the Council Chamber at no charge on the evening of May 9, 1979 for purpose of holding their Annual General Meeting, and the Cataragui Room for a meeting of the Board of Directors immediately following the General Meeting, it being understood they will relinquish the use of the Council Chamber if it is required by the City.

2. That since it was not possible to undertake the alterations to the Elmer Youth Centre last year because the lowest tender price for the work exceeded the funds provided in the construction by-law, and since additional funds, in the amount of \$45,000.00, have been provided in the 1979 Capital Budget to permit the work to be undertaken, By-law No. 9259 - A By-law to Authorize Alterations to the Elmer Youth Centre at a cost of \$115,000. and the Purchase of Equipment for the Cook Youth Centre at a cost of \$35,000. - be amended to increase the cost of the alterations to the Elmer Youth Centre to \$160,000 all of which is to be debentured.

3. That the tender for No. 1 Nursery Sod for the Parks and Recreation Department and the Public Works Department be awarded in part to -

Belhaven Sod	- \$.48	per sq. yd.
Manderley Turf Farms Ltd	- \$.5016	per sq. yd.

being the two lower tenders received.

Note The slight price differential is more than offset by the potential advantages of alternative sourcing.

4. That the 1971 Agreement with The Kingston District Chamber of Commerce to lease them the first and second floor of the former Canadian Pacific Railway Office situated on the east side of Ontario Street, a copy of which is attached hereto as Schedule "A", be renewed, as amended hereunder, for a period of one year from May 1, 1979, recommended by the City Solicitor -

- (a) Page 1, Para. 2 (term of lease) - Delete the words "five years" and substitute therefor the words "one year".
- (b) Page 2, Para. 3 - Delete the reference to "heat or water on the second floor" as this no longer applies.

5. Whereas the Sydenham Ward Tenants' and Ratepayers' Association has proposed the restoration of the Newlands Pavilion located in Macdonald Park at a total estimated cost of \$47,175.00 of which The Ontario Heritage Foundation has agreed to pay one-half, \$23,587.50, and the City has agreed to pay \$11,900.00 toward the project.

That, as recommended by the City Treasurer and the City Solicitor, the Mayor and Clerk be authorized to execute an agreement with Sydenham Ward Tenants' and Ratepayers' Association for the restoration of the Newlands Pavilion at a cost not to exceed \$11,900.00 to the City and on the understanding:

- (a) that the City would NOT be responsible for the cost of any portion of expense beyond its share of the contract price;
- (b) plans and contractual arrangements to be to the satisfaction of the Parks and Recreation and Building Inspection Departments; and
- (c) the restoration work on the City Owned Pavilion shall not entitle the Association to any interest in the property.

Respectfully submitted,

Chairman

Report No.53

May 7, 1979

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

1. That Concession St from Division St to Alfred St be closed to east bound traffic for a ten week period commencing May 15, 1979 to facilitate construction of underground services and reconstruction of the road, it being understood that east bound access will be allowed for emergency vehicles.
2. That as concurred in the paved boulevard on the north side of York St. between Alfred St. and Nelson St. be authorized to be re-constructed by day labour and that the cost be apportioned as follows-

Community Centre Board	\$11,000.00
Public Works Budget Appropriation -	
Maintenance of Permanent Pavements	<u>11,000.00</u>
Total	\$22,000.00

Respectfully submitted,

Chairman

May 8, 1979

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS it is the policy of Council through its Official Plan "to encourage new development and improvement in the Central Business District "; and

WHEREAS it is considered desirable that the City endeavour to take advantage of the Ontario Downtown Revitalization Program in order to implement this policy; and

WHEREAS it is the opinion of the Planning Board that the area bounded by Princess, Ontario, Wellington Streets and the Great Cataraqui River and the block bounded by Princess, Ontario, Brock and King Streets is an appropriate area for development and improvement; and

WHEREAS it is a requirement of participation in the Downtown Revitalization Program that the area concerned be designated a "redevelopment area" under Section 22 of The Planning Act;

THEREFORE BE IT RESOLVED that the area bounded by Princess, Ontario, Wellington Streets and the Great Cataraqui River, and the block bounded by Princess, Ontario, Brock and King Streets be designated a "redevelopment area" under Section 22 of The Planning Act and that approval of the designating by-law be requested of the Minister of Housing; and

BE IT FURTHER RESOLVED that a "call for development proposals" be prepared, subject to the approval of the Planning Board and Council, and thereafter be advertised.

(Ald. Timmins opposed)

2. WHEREAS on December 18, 1978, Council adopted a Housing Policy Statement for the City of Kingston, which Statement was submitted to the Minister of Housing for approval; and

WHEREAS the Minister of Housing has approved the Statement, subject to certain amendments, with regard to the supplementary recommendation concerning the disposal of Government-owned property; and

WHEREAS this matter has been considered by the Housing Subcommittee and the Planning Board;

THEREFORE BE IT RESOLVED that the Housing Policy Statement of the City of Kingston be amended as follows:

2. (Cont'd)

Add to the supplementary recommendation concerning disposal of Government-owned property, the words "acquiring title to" so that it reads:

".. in the event of the disposal of land owned by various levels of government or any board, agency, commission or government-related institution, Planning Board and Council should consider the desirability of acquiring the title to and developing the land for housing purposes, possibly through the Municipal Non-Profit Housing Corporation".

3. WHEREAS a request was received from the Kingston Housing Authority that the residency requirement for rent-geared-to-income housing be waived when zero or no suitable applicants exist in any particular unit size category; and

WHEREAS this request has been considered by the Housing Subcommittee and a meeting held with representatives of the Kingston Housing Authority; and

WHEREAS it is the feeling of the Housing Subcommittee and Planning Board that the number of vacancies is not large in comparison to the total number of housing units available;

THEREFORE BE IT RESOLVED that no action be taken on the request of the Kingston Housing Authority that the residency requirement for rent-geared-to-income housing be waived when no suitable applicants exist in any particular unit size category.

(Note: The residency requirement now states that an applicant must have resided in the City of Kingston for at least 12 consecutive months)

4. That Council does hereby reaffirm the policy of the Official Plan of The Corporation of the City of Kingston with respect to the maintenance of public and visual access to the waterfront along King Street, notwithstanding the City's intention to close a portion of this street, and particularly with regard to the 66 ft. street allowance proposed to be transferred to the Provincial government for construction of the O.H.I.P. building; and further

That the leasing rather than selling of City property in this regard be considered.

Respectfully submitted,

CHAIRMAN

REPORT NO. 55

May 9, 1979

To the Mayor and Aldermen:

The Finance & Accounts Committee reports as follows:

1. That the Supplementary Budget of the Children's Aid Society of the City of Kingston and the County of Frontenac for 1979 to establish an Alternatives to Care Programme in the amount of \$47,550.00 (the City's share of which is \$5,166.00) be approved,

- and further -

That the following budget transfer be approved:

	<u>Increase</u>	<u>Decrease</u>
Children's Aid Society Inc.	\$5,166.	-
Finance Contingency	-	\$5,166.

(Note: A written outline of the programme was attached as Schedule "A" to the Finance Agenda)

2. That the following resolution of the City of Sudbury be endorsed:

"WHEREAS The Discriminatory Business Practices Act, 1978 prohibits discrimination in business on the basis, inter alia, of geographical locations;

AND WHEREAS the Council of the Corporation of the City of Sudbury deems it desirable to award contracts to local businesses where all other matters are equal;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the City of Sudbury does hereby petition the Province of Ontario to amend The Discriminatory Business Practices Act, 1978, to exempt Municipal Corporations from the 'geographical location' provisions therein."

3. That no action be taken on the following resolution received from the Regional Municipality of Niagara:

"WHEREAS governments at all levels are experiencing a reduction in their revenue growth; and

WHEREAS this has led to expenditure restraint on many essential programs; and

WHEREAS the Province's involvement in lottery operations continues to increase; and

WHEREAS the revenue from such lotteries has in the main been directed to recreational and cultural programs; and

WHEREAS these types of programs have been termed by both the Treasurer of Ontario and the Ontario Municipal Board as being 'less essential' in capital financing priorities;

THEREFORE THE Council of the Regional Municipality of Niagara resolves as follows:

- a) That the Province of Ontario reconsider its policy with regard to the present use of lottery revenues with a view to directing such revenues into programs of higher municipal and provincial priority."

Ald. Tarnowecky & Ald. Matthews opposed

4. That, as recommended by the City Treasurer, a by-law be presented to Council to levy a tax for 1979, in accordance with Section 304 of The Municipal Act, R.S.O. 1970, as amended, on the following Universities, Colleges, and Hospitals at a rate of \$50.00 for each full-time student enrolled or for each Provincially rated bed, with effect from July 1, 1979:

Queen's University	10,469	\$523,450.00
Queen's Theological	77	3,850.00
St. Lawrence College	1,751	87,550.00
Psychiatric Hospital	468	23,400.00
Hotel Dieu Hospital	281	14,050.00
Kingston General Hospital	590	29,500.00
Ongwanda Hospital	82	4,100.00
Ongwanda Hospital - Penrose Division	142	7,100.00
St. Mary's of the Lake Hospital	210	10,500.00
		<u>\$703,500.00</u>

(Note:	<u>1979 Tax Levy</u>	<u>Budget Amount</u>
Universities & Colleges	614,850	614,850.
Hospitals	<u>88,650.</u>	<u>88,650.</u>
	<u>\$703,500.</u>	<u>\$703,500.</u>

5. That the Health Unit and the Ministry of Health be notified that the City is in agreement with the issuance of a change order in the amount of \$1,178.10 to the contract with T.A. Andre & Sons Ontario Limited for reimbursement of the water and sewer surcharge for the addition to the Health Unit it being noted that the Ministry of Health is agreeable to this charge.
6. That Mrs. Mary Stewart of 404 Albert Street be appointed as a member of the Local Architectural Conservation Advisory Committee for the period ending November 30, 1979.
7. That Mr. B. Breen of 100 Cliff Crescent be appointed a City of Kingston representative to the Kingston Frontenac Lennox and Addington Health Unit.
8. That no action be taken on the request of Mr. Andrew Shaw, Friends of Chamber Music, Inc., The String Quartet Institute for a grant in the amount of \$500.00.
9. That, as recommended by Smith, Mill & Ross Architects, Grand Theatre, the following Change Orders to the contract with Emmons and Mitchell Construction Ltd. be approved:
- a) Change Order No. 6
Work necessary for the supply and installation of Mechanical and Electrical items in connection with adjustments and repairs to the Boiler Room. \$6,574.58
 - b) Change Order No. 7
To sandblast exterior stone work (pilasters). \$ 200.00
 - c) Change Order No. 8
Supply and install all labour and materials necessary for the installation of reinforcement to ceiling structure \$14,334.24

9. (Cont'd)

d) Change Order No. 9

Provide all labour and materials necessary for the following:

i) installation of additional columns at entry to Women's Washrooms.

ii) strengthening of stairwell stud wall in lounge.

iii) installation of additional floor members. \$ 1,264.40

e) Change Order No. 10

Provide and install all labour and materials necessary in connection with angle iron tie for twisting steel roof joists

\$ 575.19

f) Change Order No. 11

Provide Credit in connection with the deletion of roughing-in of feeder to third floor apartment \$ 656.00 (CR.)

Change Order No. 5 for the installation of washrooms downstairs has been cancelled.

10. That, as requested by the Kingston and District Agricultural Society, it be recommended to Council that the application of the Kingston and District Agricultural Society for a permit to operate a beer tent on the grounds of the Kingston Memorial Centre during the Kingston Exhibition from July 17th to July 21st 1979 on the understanding that the beer tent would close at 10 p.m. and that it would be strictly policed, be supported.

11. That, as recommended by the Chief Administrative Officer, based on information supplied by the Public Utilities Commission, the following resolution of the Borough of Scarborough NOT BE endorsed:

"WHEREAS the conclusions and recommendations do not accurately reflect the data contained in the report, and

WHEREAS Canadian Standards Association and Ontario Hydro data indicates a failure rate of aluminum-wired branch circuit devices in Ontario ranging from 10-50 times higher than the failure rate for copper (Report Part 2, p.153 - ".....in the period 1973 - 1977 the Association received reports of 284 failures in receptacles and devices wired with aluminum and of 50 failures with copper in the same period.") and

WHEREAS, whilst overheating copper-wired devices remain relatively stable, those with aluminum wire become progressively hotter with continued use;

THEREFORE BE IT RESOLVED that the Province of Ontario be urged not to implement Recommendation 9 of the Commission suggesting continued authorization for aluminum wiring, but instead place a five-year moratorium on its use in Ontario to allow further testing and monitoring of existing wiring and any improved wire, equipment and devices."

(Note: A copy of the Report of the Chief Administrative Officer was distributed to the members of Council with the Finance

12. That, as recommended by the Chief Administrative Officer, following receipt of comments from the Commissioner of Public Works who has stated that the fact that the district M.O.E. office is in the City of Kingston suggests that it may not be necessary for the City to become involved, the following resolution of the Borough of Etobicoke be not endorsed:

"THAT the Honourable H. Parrott, Minister of the Province's Ministry of the Environment, be informed that the Works Committee generally concurs with the proposed legislation which would enable the Province to clean up major hazardous spills and charge the owners involved. At the same time, in the opinion of the Works Committee, it would be highly desirable to expand this legislation to also enable municipalities to clean up spills of the kind normally under their

jurisdiction and similarly charge the owners involved with the authority to place liens on the properties if feasible. It is understood and agreed that municipalities have a responsibility to keep the Province informed of such spills but it would not be feasible for municipalities to obtain prior authorization from the Province to proceed with the cleaning up of spills in every instance, especially taking into account the need to take immediate action at times, and

THAT the municipalities of Metropolitan Toronto and other major municipalities in the Province of Ontario be requested to give their support to this matter."

(Note: A copy of the report of the Chief Administrative Officer was distributed to the members of Council with the agenda.)

13. WHEREAS, notification was received from the Cataraqui Region Conservation Authority that the budget for Lemoine Point Conservation Area was over-expended in the amount of \$2,069.06 for 1978.

AND WHEREAS, the City is requested to pay its share in the amount of \$517.27 with the Township of Kingston to pay \$1,551.79.

THEREFORE BE IT RESOLVED that authorization be given to payment of City's share in the amount of \$517.27 and the following budget transfer be approved:

	<u>Increase</u>	<u>Decrease</u>
Cataraqui Region Conservation Authority	\$517.27	-
Finance Contingency	-	\$517.27

14. That the proposal of the Archives and Records Committee to use the Clock Tower of City Hall for a museum be approved,

- and -

That the amount of \$1,000.00 be provided from Finance Contingencies for this purpose it being noted that the proposal has been approved by the Local Architectural Conservation Advisory Committee,

- and further -

That the following Budget Transfer be approved:

	<u>Increase</u>	<u>Decrease</u>
A/C No. 3215 -Contribution from current revenue	\$1,000.	-
Finance Contingency	-	\$1,000.

15. That, as recommended by the Archives and Records Committee the following policy with respect to material donated to the City be approved:

"That material donated to the City of Kingston be listed in the holdings of the archives and artifacts of the City, and in turn may be loaned to other museums or archives for display purposes, providing such material is suitably protected and that credit is given both to the City of Kingston and to the original donor".

16. That approval be given to the City Hall Staff Association to hold their annual picnic on July 11, 1979 and in the event of rain, on July 18, 1979,

- and -

That the staff of City Hall be permitted to have the afternoon off to attend the picnic.

17. That Mayor Ken Keyes be appointed the City of Kingston representative to the Via Ontario Advisory Council which is being formed to assist the four Via regional organizations with the task of providing improved, attractive inter-city rail passenger services. All expenses will be paid by Via Rail Canada.

18. That, the City enter into an agreement with The Corporation of The Township of Kingston, The Corporation of The Township of Ernestown, The Corporation of The Township of Pittsburgh and The Kingston District Chamber of Commerce in the form distributed to all members of Council for the establishment of the Kingston Area Economic Development Commission, said agreement to contain the following main conditions:

- a) The following representation:

4 members of the Chamber of Commerce
1 member of each of the four municipalities.

- b) Budget requirement for the first three year period shall be \$80,000.00 per year (\$20,000.00 from The District Chamber of Commerce) and \$60,000.00 from the municipalities.
- c) Board to be established for a three year period with each municipality having the option to opt out at the end of two years or any time thereafter on one year's notice.
- d) The matter of financing of the Commission to be reviewed at the end of two years taking into account changes in population and assessment.

19. That Alderman Lois Miller be appointed the City representative to the Advisory Council to Kingston City Council on the Needs of the Handicapped and Elderly.
20. That, as recommended by the City Treasurer, pursuant to Section 636(a) of The Municipal Act, R.S.O. 1970, as amended, the applications of persons and firms listed on the attached Schedule "A" in the amount of \$582.76 for cancellation, reduction or refund of taxes levied in 1978 be approved.
21. That list of Accounts No. 4 dated April, 1979, in the amount of \$5,985,671.78 be approved, it being noted that the expenditures were incurred under proper authorization.

(Note: Copy of List of Accounts Distributed to each member of Council).

22. WHEREAS, on March 13, 1979, City Council approved the purchase of a vacant parcel of land located at the southeast corner of MacDonnell and Park Streets, being Parts of Lots 4 and 5, Registered Plan B-23, more particularly described as Part 1 on Reference Plan 13-R-3288, being Part of Lots 4 and 5 on Registered Plan B-23,

AND WHEREAS, the City Solicitor in checking the title has found that Part 1 on Reference Plan 13-R-3288 is already in the name of the City of Kingston, as it had been purchased by the City on behalf of the Board of Education, as part of Rideau School site;

AND WHEREAS, the City Solicitor has reported that the Frontenac County Board of Education has requested that the City provide a Quit Claim Deed to the School Board for not only the property to be purchased by the City but for the other parts of land upon which Rideau School is situated and notes that although the City would appear to have title in the Registry Office, there is little doubt that the Board of Education has certain rights in this land over an extended period of time, and by possession of the land over an extended period of time, and by virtue of the fact that the Board of Education would have repaid the debentures issued by the City;

THEREFORE BE IT RESOLVED that the Mayor and City Clerk be authorized to execute a Quit Claim Deed to the Frontenac County Board of Education for all of the property on which the Rideau School is located and upon execution of the Quit Claim Deed, proceed with the acquisition of Part 1 on Reference Plan 13-R-3288, being Part of Lots 4 and 5 on Registered Plan B-23 for the sum of \$20,000.00.

23. That, as recommended by the Public Works Committee in order that the City would have 6 garbage packers in good condition and it is anticipated no problems would be involved with normal 6-route pick-up, authorization be given to a deficit of \$8,800.00 to be incurred in the Garbage Department Budget to permit the purchase of a second back end not budgeted for and a payment of sales tax on the back end budgeted for,

- and further -

That the quotation of S.M.I. Industries Limited dated April 20, 1979 to supply two new back ends for garbage packers at a cost of \$7,845.00 each plus sales tax for a total of \$16,788.30 be accepted being the only source of supply.

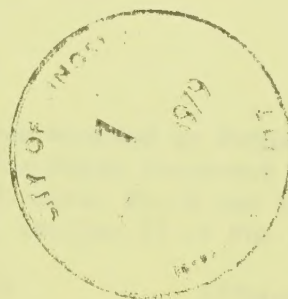
(Note: One new back end and a new Packer were included in the proposed 1978 budget but the Packer was deleted.

Each back end will consist of the tailgate, packing blade, hopper, two packing cylinders, two hopper cylinders, control valves and all hydraulic lines in tailgate, completely wired with necessary lights to install on existing body).

Respectfully submitted,

Chairman

Roll #	Applicant	Address	of Mo. C	R	Explanation	Gen-eral	Gar-bage	Pub. Sch.	Sec. Sch.	D.T. Levy	Pen-alty	Refund Public	Cancellation Public
010 120 01500 0030 001B	City Wide Cleaners	116 Wellington	12	B	Moved Out	12.17		5.68	4.66		2.53		25.04
010 130 00400 0010 011M	Wellington Publish.	155 Wellington	7	B	Moved Out	33.40		15.59	12.77		2.48		64.24
020 030 00800 0091 011E	Dave Bardeau Ltd.	844 Princess	7	B	Moved Out	51.28		23.93	19.61		3.80		98.62
020 130 07300 0030 001F	Murray Rielly	346½ Princess	5	B	Reduced Area	14.09		6.58	5.39		2.34		28.40
030 040 03900 0030 021A	Indian Bazaar	357 Princess	12	B	Moved Out	76.64		35.77	29.31		15.62		157.34
030 020 01300 0000 000H	David Lam	366 Division	2	B	Dem. Gar.	1.92	.20	.95	.78			3.85	
030 040 03900 0040 001B	Ram K. Kumar	357 Princess	12	B	Moved Out	57.26		26.72	21.89	14.22	13.21		133.30
030 080 09900 0081 021F	Brock Business Agen.	310 Baant	5	B	Relocated	7.14		3.33	2.73			13.20	
030 140 06000 0000 000B	Agnes Martin	336 Sydenham	2	R	Dem. Bldg.	13.09	1.36	6.46	5.30			26.21	
040 130 10400 0000 000E	Lewis Roper	10 Shaw	3	R	Fire	16.29	1.69	8.05	6.59				32.62
						283.28	3.25	133.06	109.03	14.22	39.98	43.26	539.56



UNFINISHED BUSINESS

BY-LAWS

- (A) That By-Laws 1 to 4 and 6 to 9 be given their First & Second Readings.
- (B) That By-Law 5 be given its Second Reading.
- (C) That Rule No. 35 of By-Law 1 be suspended for the Purpose of Giving By-Laws 6 to 9 their Third Reading.
- (D) That By-Laws 6 to 12 be given their Third Reading.

* * *

- (1) A By-Law to License, Regulate and Govern Trailer Camps and to Licence Trailers in the City of Kingston and to Repeal By-Law No. 1023.

(FIRST & SECOND READINGS)
Clause 5, Report No. 50, 1979

(Proposed No. 79-93)

- (2) A By-Law to amend By-Law No. 3, "A By-Law Respecting Certain Officials of the Corporation" (Public Access to Documents).

(FIRST & SECOND READINGS)
Clause 6, Report No. 50, 1979

(Proposed No. 79-94)

- (3) A By-Law to amend By-Law No. 9259 - "A By-Law to Authorize Alterations to the Elmer Youth Centre at a cost of \$115,000. and the Purchase of Equipment for the Cook Youth Centre at a cost of \$35,000" (Increase Cost of Elmer Youth Centre to \$165,000.)

(FIRST & SECOND READINGS)
Clause 2, Report No. 52, 1979

(Proposed No. 79-95)

- (4) A By-Law to designate the area bounded by Princess, Ontario and Wellington Streets and the Great Cataraqui River and the block bounded by Princess, Ontario, Brock and King Streets, redevelopment required under Section 22 of the Planning Act.

(FIRST & SECOND READINGS)
Clause 1, Report No. 54

(Proposed No. 79-96)

- (5) A By-Law Respecting Smoking in The City of Kingston.

(SECOND READING)
Clause 4, Report No. 23, 1979 and
Clause 2, Report No. 50, 1979

(Proposed No. 79-26)

- (6) A By-Law to amend By-Law No. 21 - "A By-Law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber".

(THREE READINGS)
Clause 1, Report No. 52, 1979

(Proposed No. 79-97)

BY-LAWS (Cont'd)

- (7) A By-Law to Close Temporarily, a Portion of Concession Street between Division Street and Alfred Street During Construction of Underground Services and Reconstruction of Road (East Bound Lane).
- (THREE READINGS) (Proposed No. 79-98)
Clause 1, Report No. 53
- (8) A By-Law to levy a tax on universities, colleges and hospitals in the City of Kingston for the year 1979.
- (THREE READINGS) (Proposed No. 79-99)
Clause 4, Report No. 55
- (9) A By-Law to Confirm the Proceedings of Council at its Meeting Held on April 14, 1979.
- (THREE READINGS) (Proposed No. 79-100)
City Council Meeting No. 19, 1979
- (10) A By-Law to amend By-Law No. 24, "A By-Law for Regulating Traffic in The Highways of the City of Kingston, Subject to The Provisions of The Highway Traffic Act". (Clause 4, Report No. 44, 1979)
- (THIRD READING) (Proposed No. 79-76)
Clause 4, Report No. 44, 1979
- (11) A By-Law to amend By-Law No. 8, "A By-Law to Provide for the Licensing and Regulation of Dogs and Cats and for the Control of Animals Suspected of Having Rabies". (Penalty for Cats at Large)
- (THIRD READING) (Proposed No. 79-77)
Clause 7, Report No. 44, 1979
- (12) A By-Law to amend By-Law No. 1998, "A By-Law to Require the Closing of Gasoline Service Stations during Certain Hours". (Revise Regulations for Period June 1 to September 30)
- (THIRD READING) (Proposed No. 79-82)
Clause 1, Report No. 45, 1979

MOTIONS

- (1) Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That the sympathy of Council be extended to the family of the late Rein Quatsch.

- (2) Moved by Mayor Keyes,
Seconded by Ald. Webb,

That the sympathy of Council be extended to the family of the late Harold C. Anglin.



JUN 21 RECD

Local Govt.

CITY COUNCIL MEETING NO. 19

The Regular Meeting of City Council was held on Monday, May 14, 1979, in the Council Chamber, City Hall, at 8:11 p.m.. His Worship Mayor Keyes Presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (arrived at 8:30 p.m.) (15).

PRESENTATION

of

AWARD FOR OUTSTANDING ACHIEVEMENT

to

Kingston J & J Towing Service O.M.H.A.

Novice "AAA" 1978-1979 ALL-STAR TEAM

WINNERS of

OSHAWA TOURNAMENT CHAMPIONS

QUINTE-ST. LAWRENCE LEAGUE - "Pennant Winners"

QUINTE-ST. LAWRENCE LEAGUE - "Playoff Winners" (Grand Champions)

EASTERN ONTARIO "FINALISTS"

KINGSTON TOWNSHIP TOURNAMENT "B" CHAMPIONS

MISSISSAUGA NOVICE TOURNAMENT "American Conference Champions"

TABLING OF DOCUMENTS

MINUTES

Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That the Minutes of City Council Meetings Nos. 16 and 17, held on April 23 and April 30, 1979, respectively, be adopted as printed.

COMMUNICATIONS

CARRIED

Council consented to the addition of Communications 277(a) and 281 to 287.

Filed

(262) From The Ontario Association for the Mentally Retarded thanking the City for its donation for their 26th Annual Conference.

Referred to the Police Commission

(263) From Flora MacDonald, M.P. endorsing City Council's resolution that the Federal Government be asked to subsidize the cost of policing Kingston because of the effects of the penitentiaries in the area.

COMMUNICATIONS (Cont'd)

Which Had Been Referred to Planning Board

- (264) From Mrs. Irene Mooney, objecting to the zoning By-law amendment for the property at 447 Division Street. (By-Law No. 79-30)

Filed

- (265) Decision of the Ontario Municipal Board granting, in part, the appeal against the decision of the Committee of Adjustment (granting Suzangee Limited a minor variance from the provisions of By-Law No. 8499 to reduce front yard set back from 25 feet to 9.5 feet) by varying the front yard set back from 25 feet to 14 feet to permit construction of a detached garage on understanding that if the setback of 14 feet cannot be achieved the Board could be spoken to further, within 30 days of April 18, 1979.
- (266) From Helen S. Finley, President of the Frontenac Historic Foundation concerning the proposal of the Downtown Business Association for the construction of the Princess Street Promenade and requesting support from the City for this project.

Referred to Planning Board

- (267) From Mr. Karl Kramil representing the Board of Directors for the Kingston Downtown Business Association, outlining six resolutions passed by the Organization at a recent meeting for the purpose of informing the City of the Association's strong support for the revitalization of the downtown central business district.

(Note: Copy distributed to each member of Council)

Referred to Public Works

- (268) From the Ministry of Intergovernmental Affairs forwarding a copy of Bill 46 to amend The Local Improvement Act which would permit issue of debentures prior to completion of the work or after a firm contract has been entered into.

Filed

- (269) From the Ontario Good Roads Association forwarding to the City a copy of their booklet outlining the events that took place during their annual convention held on February 26, 1979.

Referred to the Parks & Recreation Administrator

- (270) From the Sydenham Ward Tenants' and Ratepayers' Association notifying the City of their concern over the current condition of the City Park and the Cricket Field.

Filed

- (271) From the Ministry of Transportation & Communications advising Council that they have directed an advance payment of subsidy in the amount of \$369,300 to the City, being 30% of normal subsidy allocation.

COMMUNICATIONS (Cont'd)

Referred To Planning Board

- (272) From Dr. H. Westenberg submitting an application for zone change requesting permission to relocate his office from 115 Lower Union Street to 81 King Street East which is presently zoned "A" Residential.

Filed

- (273) From Mrs. Mary Ellen Douglas writing to the City on behalf of VITA, a pro-life group of citizens who will gather in Silent Vigil in front of Kingston General Hospital on Sunday, May 13, 1979, Mother's Day, in protest of abortion.

(Copies have been distributed to all members of Council)

- (274) From the Ministry of Housing informing the City that the government plans to produce a White Paper this spring on The Planning Act. This document will be given wide public distribution and all concerned will have the opportunity to comment on the proposals.

Referred To Planning Board

- (275) From Bell Canada submitting their application for zone change to the City with the request that Section 5 "General Provisions for all Zones" Subsection 5.1 "Permitted Uses" be amended in order that Bell Canada or a Telephone Company be included as a permitted use in all Zones.

Referred to Transportation Department

- (276) From Reverend Antonio Pires, Portuguese Parish Pastor, Kingston Portuguese Canadian Community, requesting permission from the City to hold a candle-light procession on May 26, 1979.

Referred to Planning Board

- (277) From Jehuda J. Kamner, Barrister & Solicitor, informing the City that his clients, Leslie Hutchinson and King Mui Kwai withdraw their objection to the Restricted Area Zoning By-Law No. 9324 rezoning 848 Portsmouth Avenue.
- (277a) From Mr. Peter G.D. Swan, Swan, Carty, Belch and Ryan, Barristers and Solicitors, on behalf of his client, Florence Keyes withdrawing her objection to the restricted area zoning By-Law No. 9324 rezoning 848 Portsmouth Avenue.
- (278) From Wayne C. Gay submitting an application for zone change to the City to permit construction of an addition to an existing office building at 119 Barrack Street.

Filed

- (279) From A.C.E. Ritter, Chairman of Kingston and Area Senior Citizens Council Inc. thanking the City for their contribution for the operation of services for Senior Citizens.
- (280) From Andrew Shaw, General Manager of Friends of Chamber Music, Inc., The String Quartet Institute thanking the City for their consideration in permitting them to use Memorial Hall on the evening of July 6, 1979.

COMMUNICATIONS (Cont'd)

Referred to Planning Board and Commissioner of Works

- (281) From Wilcox and McNeill, Barristers and Solicitors, informing the City that neither they nor their clients have been advised of any proposed action that the members of Council have been considering with respect to the repeal of the official plan amendment with respect to the Clyde Farm Property and submitting complaint about sewage.

Filed

- (282) From A. Bowie, Secretary Treasurer, P.U.C., informing the City of the Commission Meeting Dates for the months of June, July and August 1979. The meeting dates are as follows:

Thursday, June 7th & 21st
 Thursday, July 12th
 Thursday, August 16th
 Thursday, September 6th

- (283) From the Ministry of Transportation & Communications informing the City that the Honourable James Snow, Minister of Transportation and Communications, has authorized a 1979 subsidy allocation to the City in the amount of \$245,850.00 for the Capital Asset Assistance Program to cover the following items:

1. 4 - GMC 53 Passenger Buses	\$243,000.00
2. Fare Boxes for above	1,500.00
3. 1 passenger shelter	1,350.00
	<u>\$245,850.00</u>

- (284) From the Ministry of Transportation & Communications informing the City that the Honourable James Snow, Minister of Transportation and Communications, has authorized a 1979 subsidy allocation of \$455,500.00 under the Transit Operating Assistance Program.

Referred to Planning Board

- (285) From Walter Beath, Chairman of the Municipal Liaison Committee informing the City that CMHC announced its intention to change its standards for the Residential Rehabilitation Assistance Program and that to date, after agreeing to 13 of 16 changes to the standards proposed by the Ministry of Housing, CMHC still retains the right to change the standards unilaterally and still refuse to make reference to municipal By-Laws in Agency Agreements. A number of optional alternative suggestions are presented.

Filed

- (286) From the Ontario Municipal Board notifying the City that an Interim Capital Expenditure Quota for 1979, as requested by City Council, has been approved in the amount of \$1,500,000.00.

COMMUNICATIONS (Cont'd)

Filed

(287) From Mr. George N. Speal, Q.C., Speal, Viner & Kennedy, on behalf of Samuel Springer Properties Limited with regard to the designation of a redevelopment area containing the following main points:

- (a) Samuel Springer Properties Limited re-iterate their approval of a redevelopment proposal for the downtown area and wish to assure the members of Council of their intention to co-operate.
- (b) Concern is expressed about the freeze on the development of property in the area for an indefinite period.
- (c) The freeze could cause great hardship to people in the area and there is no time limit for this freeze.
- (d) They have entered into negotiations with a major company for a building in the area and this freeze will greatly hamper this new building in the downtown area.
- (e) Because of the freeze for an indefinite period there may be stagnation and dissention.
- (f) Request that this matter be referred back to the Planning Board for further discussions with the people of the area to clarify these points and also to set a deadline for the freeze and what people can do with their properties in the meantime.

PETITIONS

REPORTS

Ald. Gerretsen presented Report No. 50 of the Community Services Committee as follows:

Council consented to the addition of Clause 8, Report No. 50.

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Report No. 50 of the Community Services Committee be received and adopted clause by clause.

REPORTS (Cont'd)

Report No. 50 - Community ServicesREPORT NO. 50

April 26, 1979.

To the Mayor and Aldermen:

The Community Services Committee reports and recommends as follows:

1. That the Agreement between the City of Kingston and Dr. Richard T. Milne for provision of medical services to the City of Kingston Fire Department be amended as follows:
 - a) Delete from Clause 1 (f) the words "or other authorized City Official" and substitute the words "or Deputy Chief" so that Clause 1 (f) shall now read as follows:

"(f) The provision of routine reports as to medical condition upon request of the Fire Chief or Deputy Chief."
- CARRIED
2. That By-Law No. 79-26 "A By-Law Respecting Smoking in the City of Kingston" be amended to delete all reference to policing by the proprietors in Sections 4, 10, 14, 19, 23, 27, 31, 35 and 41 and to remove all penalty sections in the case of each of the uses where smoking is regulated i.e., Sections 5, 11, 15, 20, 24, 28, 32, 37 and 42 with the general penalty section, Section 45, to apply to infractions of the By-law and to amend Section 7 (ii) to read as follows:
 - (ii) Where permission is granted under subsection (i) hereof, any patient who may be affected as a result thereof, may request non-smoking accommodation; and
 - (a) Where the request is granted by the hospital under subsection (ii) such accommodation shall be provided;
 - (b) Where the request is not granted by the hospital under subsection (ii) a patient granted permission under subsection (i) shall smoke only in an area designated under Section 5
- and be presented to Council for second reading.

REPORTS (Cont'd)

Report No. 50 - Community Services

2. (Cont'd)

(Note: A copy of the proposed by-law, as amended, is attached hereto as Schedule "A".

These changes were recommended by the City Solicitor after receipt of the decision of the Divisional Court of the Supreme Court of Ontario respecting Toronto's smoking by-law.)

CARRIED AS AMENDED 10:5

Ald. Hawkins opposed

(See following Motion of Amendment)

Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That Clause 2, Report No. 50 be amended to add after the word "By-law" in the last sentence the following:

And to amend Section 7 (ii) to read:

- (ii) Where permission is granted under subsection (i) hereof, any patient who may be affected as a result thereof, may request non-smoking accommodation; and
- (a) Where the request is granted by the hospital under subsection (ii) such accommodation shall be provided;
- (b) Where the request is not granted by the hospital under subsection (ii), a patient granted permission under subsection (i) shall smoke only in an area designated under Section 5.

CARRIED 8:7

Ald. Clements opposed

Ald. McArthur requested that Subsections (a) to (g) of Clause 3 be considered separately.

3.a) That an agreement be entered into with Family Counselling Service of Kingston, Incorporated for the provision of counselling services at the rate of \$25.00 per hour up to a maximum for 1979 of \$4,100 for the following:

- i) Those Kingston residents in receipt of General Welfare Assistance and Family Benefit Allowance payments.
- ii) Those Kingston residents who are employed and whose net income is less than \$10,000.
- iii) Those residents whose net income is over \$10,000 and who are unable for various reasons to pay the cost of service.

CARRIED

(See following Motion of Amendment which was lost)

REPORTS (Cont'd)

Report No. 50 - Community Services

3.a) Cont'd

Moved by Ald. Clark,
Seconded by Ald. Hawkins,

That subsection 3(a) (iii) Report No. 50 which reads as follows be deleted:

"Those residents whose net income is over
\$10,000 and who are unable for various
reasons to pay the cost of service."

LOST 3:12

Ald. Clements withdrew at 9:33 p.m.

- b) That an agreement be entered into with Kingston Interval House for the provision of lodging for persons in need on the following conditions:
- i) That Kingston Interval House agrees to provide lodging for persons in need who are eligible for general welfare assistance.
 - ii) That the Social Services Administrator of the City shall determine, in accordance with the regulations, if a person is eligible for such assistance.
 - iii) Payment of \$14.00 per diem for each person eligible for assistance, such rate to be subject to the approval of the Ministry of Community and Social Services.
 - iv) Provision for a maximum payment of \$32,000 by the City during 1979, if required.
 - v) Provision for the term of the agreement to be January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as a new agreement has been executed.

*Referred back to Community Services
(See following Motion of Referral)*

Moved by Ald. Matthews,
Seconded by Ald. Webb,

That subsection 3(b), Report No. 50, be referred back to the Community Services Committee with the request that the committee investigate the possibility of entering into agreements with other municipalities, whereby, payment of the per diem rate would be made by the municipality where the person resided if the person is eligible for welfare assistance.

REPORTS (Cont'd)

Report No. 50 - Community Services

3. c) That an agreement be entered into with the Kingston Day Care Incorporated for the provision of day care services in 1979, containing the following conditions:

- i) That payment will be made at the rate of \$14.06 per pupil per diem.
- ii) Payment of transportation cost of \$1.75 per pupil per day for those using the service.
- iii) Provision for a maximum amount of \$47,200 in 1979, if required.
- iv) Provision for the term of the agreement to be January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as a new agreement has been executed.

Ald. Clements returned at 9:35 p.m.

CARRIED

- d) That an agreement be entered into with Family Day Care for the provision of Private Home Care for children of persons in need on the following conditions:

- i) Payment of \$9.92 for each child per diem for private home care, less the fees, if any, payable by the child's parent.
- ii) Fees payable by the child's parent shall be determined in accordance with the Regulations under the General Welfare Assistance Act.
- iii) Provision for a maximum payment of \$15,700 by the City during 1979, if required.
- iv) Review of the parent's financial position if deemed necessary by the Administrator after each six month period.
- v) Provision for the term of the agreement to be January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as a new agreement has been executed.

CARRIED

- e) That an agreement be entered into with the Canadian Red Cross Society (Kingston Branch) for the provision of homemaker services during 1979 on the following conditions:

- i) If the financial circumstances of the person applying for homemaker services does not permit him to pay in full the required fees, the City will pay for such services either in full or in part. The fees for such services shall be as follows:
 - a) \$34.00 per 8 hour day, or if less than 8 hour, the sum of \$4.25 per hour, with a minimum of 2 hours payment, and \$51.00 for each period of twenty-four hours service.
 - b) Provision shall be made for a maximum payment of \$14,000 by the City during 1979, if required.
 - c) If the minimum wage is increased or other legislation is passed which affects the Society's personnel who provide homemaker services, the rates are subject to revision.
 - d) Provision for the term of the agreement to be from January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as a new agreement has been executed.

CARRIED

REPORTS (Cont'd)

Report No. 50 - Community Services

3. (Cont'd)

3. f) That an agreement be entered into with the Victorian Order of Nurses for the provision of nursing services during 1979 on the following conditions:

- i) If the financial circumstances of the person applying for this service does not permit him to pay in full the required fees, the City will pay for such services either in full or in part. The fee for said services shall be \$12.56 per visit.
- ii) A maximum amount of \$500.00 is to be paid by the City during 1979, if required.
- iii) Provision for the term of the agreement to be from January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as a new agreement has been executed.

CARRIED

- g) That agreements be entered into with the following organizations for the day care and day nursery services with the per diem rate to be as shown and the maximum amount to be paid by the City as shown:

	Per Diem	Maximum Amount
i) The Polson Park Free Methodist Church (West End Day Care)	\$10.82	\$20,000.
ii) Complex Co-op Nursery School Inc.	2.69	2,235.
iii) Helen Tuft's Nursery School Incorporated	3.60	13,986.
iv) Allen-Detweiller Nursery School	2.96	1,680.
v) Chalmers Nursery School	1.88	430.
vi) St. Matthews Nursery School	2.72	2,520.

- (vii) Provision for the terms of the agreements shall be for the period from January 1st 1979 to December 31st 1979, and to continue in force and effect until such time as new agreements have been executed.

CARRIED

Ald. Gorham withdrew at 9:40 p.m.

4. That as concurred in by the Chief Building Official, the following guidelines be established for the administration of the Property Standards By-Law:

- a) Notices and Orders relating to yards and/or possible emergency repairs that may require immediate attention:

Notices: A one week to ten day reinspection date for local mail delivery, two week reinspection for out-of-town mail.

Orders: A one week to ten day reinspection date for local mail delivery, two week reinspection for out-of-town mail delivery, plus the Order would state that if the necessary work is not completed on the reinspection date, the City will do the necessary work and either bill the owner or add the cost of the clean-up or repairs to the Municipal Taxes.

- b) Notices and Orders relating to a considerable amount of general repairs dealing with interior and exterior work or both:

Notices: A three week reinspection date for all mail either local or out-of-town.

Orders: A three week reinspection date for all mail either local or out-of-town, plus if an appeal is received within fourteen days in accordance with Section 6.13 of By-Law 8597 the above reinspection date may be extended by the Property Standards Committee.

If an Order is not appealed within the time limits of the By-Law and the work is not completed on the reinspection date, an Information Sheet will be Sworn out against the Owner in Provincial Court.

REPORTS (Cont'd)

Report No. 50 - Community Services

4. (cont'd).

- c) Flexibility on the time limits should be allowed in certain circumstances, i.e.
 - i) On large jobs where more than one contractor has been asked to submit tenders.
 - ii) Properties that may be under the control of an officer from the Provincial Trustees Office.
 - iii) Properties under Court Order relating to Divorce Cases or Estate Settlements.
 - iv) Or other unforeseen circumstances where time limits are set out and enforcement is not practical.
- d) That Orders not be issued for seasonal work when it is impractical to have this type of work done i.e. outside painting in the winter months.
- e) In emergency situations action should be taken to have the work done before the matter came to court by the City and the cost of the clean-up or repairs billed to the owner or added to the Municipal Taxes.

"Emergency Situations" are defined as follows:

"Where the health or safety of the public is involved if the work is not done".

An Order must be delivered to the homeowner advising that the City will do the work if it is not done by the homeowner within a certain time.

CARRIED AS AMENDED

(See following Motions of Amendments)

Moved by Ald. Clements,
Seconded by Ald. Hawkins,

That Clause 4(a) be amended to delete the following:

"Notices: A one week to ten day reinspection date for local mail delivery, two week reinspection for out-of-town mail".

and substitute in lieu thereof the following:

"Notices: A three day to ten day reinspection date for local mail delivery, two week reinspection for out-of-town mail".

LOST 7:7

Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That Clause 4(e) be amended to delete the following:

"Where the safety of the public is involved if the work is not done".

and substitute in lieu thereof the following:

"Where the health or safety of the public is involved if the work is not done".

CARRIED

REPORTS (Cont'd)

Report No. 50 - Community Services

5. That a by-law be enacted to license, regulate and govern trailer camps and for licencing trailers pursuant to the provisions of Section 383(15) and Paragraph 87 of Section 354(1) of The Municipal Act, R.S.O. 1970, Chapter 284, as amended by The Municipal Amendment Act, 1976 with trailers located in the municipality for the purpose of sale or storage only to be exempted from the by-law;

-and further-

That By-Law No. 1023 of The Corporation of the City of Kingston entitled 'A By-Law to Prohibit the Use of Trailers for Certain Purposes' be repealed.

(Note: A copy of the proposed trailer licensing by-law is attached hereto as Schedule 'B')

CARRIED

Ald. Gorham withdrew at 9:45 p.m.

Ald. Clements withdrew at 9:45 and returned at 9:47 p.m.

6. That By-Law No. 3, "A By-Law Respecting Certain Officials of the Corporation" be amended to add the following policy with regard to public access to documents:

- 1) Subject to Section 4, Department Heads shall permit any person, during office hours, to inspect any records, books, accounts, documents, correspondence and reports in their possession, which have been reported to Council;
- 2) Upon request and payment of the rate fixed by Council, the Clerk shall furnish certified copies of any of the foregoing records or extracts from them within a reasonable time to any person.
- 3) Preliminary building plans submitted to the City for comment before formal application is made for a building permit shall be made public at the discretion of the Chief Administrative Officer and in the event that a person or persons disagree with the decision of the Chief Administrative Officer said person or persons may apply to Council to have the information made available.

- 4) The foregoing policy shall not apply to confidential records under the Marriage License Act, the Vital Statistics Act, the Municipal Elections Act; nor to items considered at "In Camera" meetings of Council, such as:

land acquisition, negotiating guidelines, personnel matters, medical reports and advice from the City Solicitor where court action is involved.

- 5) That public statements by City Staff that reflect City policy shall be co-ordinated by one person, i.e. the Chief Administrative Officer or his designate (approved by Council October 16, 1978, Page 774, Item "P").

CARRIED AS AMENDED

(See following Motions of Amendments & Referral)

REPORTS (Cont'd)

Report No. 50 - Community Services

Moved by Ald. Gerretsen,
Seconded by Ald. Webb,

That the second part of Clause 6(1) which reads as follows be referred back to the Community Services Committee:

"Information not yet reported to Council, which is required to be published under The Planning Act, shall be made available at public meetings".

CARRIED

Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That Clause 6(3) which reads as follows be deleted:

"Records under the jurisdiction of the Chief Building Official shall be made public at the discretion of the Chief Administrative Officer and in the event that a person or persons disagree with the decision of the Chief Administrative Officer said person or persons may apply to Council to have the information made available."

and the following substituted in lieu thereof:

"Preliminary building plans submitted to the City for comment before formal application is made for a building permit shall be made public at the discretion of the Chief Administrative Officer and in the event that a person or persons disagree with the decision of the Chief Administrative Officer said person or persons may apply to Council to have the information made available."

CARRIED

Ald. Bishop opposed

Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That the second section of Clause 6(5) which reads as follows be referred back to the Community Services Committee for further consideration of the proposed charge:

"That the charge for photocopies of records shall be twenty-five cents (25¢) per page and twenty-five cents (25¢) per page for copies of material that has been printed by the off-set printer".

CARRIED

REPORTS (Cont'd)

Report No. 50 - Community Services

Ald. Lampropoulos withdrew at 10:02 p.m.

7. WHEREAS the Ministry of Consumer and Commercial Relations selected an Advisory Committee to prepare a regulation to govern firefighting, fire safety, fire prevention and maintenance of existing buildings for consideration by the Ministry; and

WHEREAS the said document was presented in the January 13th 1979 issue of the Ontario Gazette with a request for public comment; and

WHEREAS the Fire Chief and staff of the Kingston Fire Department have reviewed the said document and recommended to the Community Services Committee at its March 29th and April 26th meetings that the Corporation of the City of Kingston respond to the request for comment;

THEREFORE BE IT RESOLVED THAT, as recommended by the Fire Chief, the Technical Standards Division of the Ministry of Consumer and Commercial Relations be notified that the Corporation of the City of Kingston supports the recommendations contained in the Advisory Committee Report as set out on pages (i) to (v) in the January 13th issue of the Ontario Gazette, summarized as follows:

- a) The Ontario Fire Code should be under the jurisdiction of the Solicitor General (Ontario Fire Marshal's Office).
- b) Fire Departments should be responsible for enforcing the Code at the Municipal Level.
- c) The authority having jurisdiction be named the Chief Fire Official.
- d) Fire Prevention Officers, where they exist, be named Inspectors under the Ontario Fire Code.

CARRIED

8. THAT applications submitted as indicated on the attached rotation schedule by gasoline service stations for extended hours of operation from 7 a.m. - 10 p.m. or 24 hours a day, for the period June 1st, 1979 to September 30th, 1979, be approved;

- and further -

THAT the following changes be made to the Gasoline Rotation Schedule:

DELETE FROM SERIES "A" - Buy-Rite Gasoline Co. Ltd.
243 Concession Street

DELETE FROM SERIES "B" - Alf Park's West End Gulf,
768 Princess Street

DELETE FROM SERIES "D" - Petersen's B.P.
451 Division Street

ADD TO SERIES "C" - Petersen's B.P.
451 Division Street;

- and further -

THAT the Gasoline Rotation Schedule, as amended, be approved for the period July 1st, 1979 to June 28, 1980.

REPORTS (Cont'd)

Report No. 50 - Community Services

8. (Cont'd)

(Note: Attached schedule indicates service stations open for the extended summer hours for the period June 1st, 1979 to September 30th, 1979 and the yearly rotation schedule for the period July 1st, 1979 to June 28th, 1980)

CARRIED

Respectfully submitted,

(Signed) J.P. Gerretsen (Chairman)
J. Hawkins
Bill Bishop
W. Knapp

* * *

Clause 4, Report No. 23, 1
and Clause 2, Report No. 50, 1

BY-LAW NO. 79-26

A BY-LAW RESPECTING SMOKING IN THE CITY OF KINGSTON

PASSED:

WHEREAS it has been determined that second-hand tobacco smoke, (exhaled smoke and the smoke from idling cigarettes, cigars and pipes), is a health hazard or discomfort for many inhabitants of the City of Kingston;

AND WHEREAS it is desirable for the health, safety and welfare of the inhabitants of the City of Kingston to prohibit or regulate smoking, or both, in the City of Kingston, as in this by-law more particularly set out;

NOW THEREFORE the Council of The Corporation of the City of Kingston enacts as follows:

1. In this by-law,
 - (a) "City" means the City of Kingston;
 - (b) "retail shop" means a building or part of a building, booth, stall or place where goods are exposed or offered for sale by retail, but does not include a place where the only trade or business carried on is that of a licenced hotel or tavern, victualling house or refreshment house, nor a place where the only trade or business carried on is that of the custom blending of tobaccos, or sale of tobaccos, pipes, cigars or smokers' sundries;
 - (c) "service line" means an indoor line of two (2) or more persons awaiting service of any kind, regardless of whether or not such service involves the exchange of money, including but not limited to, sales, provision of information, transactions or advice and transfers of money or goods;
 - (d) "smoke" or "smoking" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;
 - (e) "proprietor" means the person who ultimately controls or governs or directs the activity carried on within the kinds of premises referred to in this by-law and includes the person actually in charge thereof;

- (f) "reception area" means the public space used by an office or establishment for the receiving or greeting of customers, clients or other persons dealing with such office or establishment.

RETAIL SHOPS

2. No person shall smoke in any retail shop except in a part thereof used as a restaurant, lunch counter, hairdressing parlour, barber shop, rest room, or a part used as offices by members of the staff.

3. The proprietor of every retail shop shall ensure that a sufficient number of signs as prescribed by Section 25 hereof or otherwise by this by-law permitted, shall be prominently displayed so as to be clearly visible from all parts of each floor to which Section 2 applies.

HOSPITALS

4. (i) Subject to Section 7, no person shall smoke in any patient care area in a hospital.

(ii) Subject to Section 5, no person shall smoke in any area of a hospital, (other than a patient care area), to which members of the public have access.

5. Smoking areas may be designated by the proprietor in the area referred to in Subsection (ii) of Section 4 hereof, (exclusive of places in which smoking is prohibited by the Fire Marshal or by other law, by-law or regulation), provided not more than 50 per centum of the floor area so referred to shall be so designated.

6. The proprietor shall ensure that signs designating areas as smoking or non-smoking where such signs are required or permitted by this by-law, shall be sufficiently and conspicuous posted so as to apply clearly to the areas so designated and in the case of signs indicating "no smoking", that such be in the form prescribed by Section 25 or otherwise as permitted by this by-law.

7. (i) Notwithstanding the provisions of Section 4 hereof patient may be permitted to smoke with written permission of the personal physician of such patient.

(ii) Where permission is granted under Subsection (i) of, any patient who may be affected as a result thereof, may request non-smoking accommodation; and

(a) Where the request is granted by the hospital under subsection (ii) such accommodation shall be provided;

(b) Where the request is not granted by the hospital under subsection (ii), a patient granted permission under subsection (i) shall smoke only in an area designated under Section 5.

BANKS, FINANCIAL INSTITUTIONS AND MUNICIPAL OFFICES

8. No person shall smoke at any service counter in a bank financial institution or municipal office.

9. In every bank, financial institution and municipal office referred to in Section 8 hereof, the proprietor shall ensure that a sufficient number of signs as prescribed by Section 25 hereof or otherwise permitted by this by-law, shall be conspicuously posted so as to refer clearly to the service counter referred to in Section 8 hereof.

RECEPTION AREAS

10. No person shall smoke in any reception area in an establishment or an office.

11. Smoking areas in reception areas of establishments or offices, (except for reception areas of offices where services related to health care are performed), may be designated by the proprietor provided that areas so designated may not exceed more than 50 per centum of the reception floor area.

12. The proprietor of an establishment or office to which Section 10 applies shall ensure that signs designating areas for smoking or non-smoking, where required or permitted by this by-law, shall be sufficiently and conspicuously posted so as to apply clearly to the areas so designated and in the case of signs indicating "no smoking", that such be in the form prescribed by Section 25 or otherwise as permitted by this by-law.

ELEVATORS AND ESCALATORS

13. (i) Subject to Subsection (ii) hereof, no person shall smoke in an elevator or on an escalator in any building or part thereof.

(ii) Subsection (i) does not apply to elevators, escalator or similar devices to which The Elevators and Lifts Act, R.S.O. 1970, Chapter 143, as amended from time to time, does not apply

14. The proprietor of any building or part thereof to which Section 13 applies shall ensure that a sufficient number of signs as prescribed by Section 25 hereof or otherwise permitted by this by-law, shall be sufficiently and conspicuously posted so as to apply clearly to the areas regulated by the said section.

SERVICE LINE

15. No person shall smoke in any service line on any premises.

16. The proprietor of any premises to which Section 15 applies shall ensure that a sufficient number of signs as prescribed by Section 25 hereof or otherwise permitted by this by-law shall be prominently displayed so as to be clearly visible to persons in the service line.

SCHOOL BUSES

17. (i) No person shall smoke in a school bus.

(ii) "School Bus" means any vehicle used for transporting children.

18. In every school bus, the proprietor shall ensure that a sufficient number of signs as prescribed by Section 25 hereof or otherwise permitted by this by-law, shall be prominently displayed so as to be clearly visible from all parts of the school bus.

RESTAURANTS

19. (i) "No Smoking" areas may be designated by the proprietor of a restaurant in areas exclusive of those in which smoking is already prohibited by Order of the Fire Marshal or by other order, regulation or by-law.

(ii) When a proprietor designates a "No Smoking" area under Subsection (i) hereof, he shall

(a) post signs which designate the "no smoking" area in a conspicuous location in the area so designated, and

(b) arrange seating to provide a smoke-free area.

20. No person shall smoke in an area designated as "No Smoking" pursuant to Section 19 hereof.

21. Every proprietor of a restaurant shall post a sign visible from the outside of the restaurant indicating whether or not the restaurant provides a "no smoking" area.

THEATRES AND OTHER PLACES OF PUBLIC ASSEMBLY

22. Subject to Section 23, no person shall smoke in any enclosed indoor area being used as a place of public assembly.

23. (i) The proprietor of a place of assembly referred to in Section 22 may designate an area not to exceed 50 per cent of the total floor area of such place of assembly as a smoking area and where so designated such area shall bear the sign, "Smoking In This Area Only".

(ii) Where an area has been designated in accordance with Subsection (i) hereof, smoking shall be permitted in such area.

24. The proprietor of premises to which Sections 22 and 23 apply shall ensure that a sufficient number of signs as prescribed in Section 25 hereof or otherwise permitted by this by-law shall be prominently displayed so as to be clearly visible from all parts of each floor to which such sections apply.

SIGNS

25. (i) For the purpose of Subsection (ii) hereof, the letter height means the actual height of the letter regardless of whether it is a capital or lower case letter.

(ii) Where by a section of this by-law, a sign is to be in accordance with this section, such sign shall:

- (a) carry the text "No Smoking" in capital or lower case letters, or a combination thereof;
- (b) consist of two (2) contrasting colours, or if the lettering is to be applied directly to a surface or to be mounted on a clear panel, the lettering shall contrast to the background colour;
- (c) with respect to size of lettering, be not less than the following heights:
 - (1) ten (10') feet or less - letter height of one (1") inch,
 - (2) twenty (20') feet or less - letter height of two (2") inches,
 - (3) forty (40') feet or less - letter height of three (3") inches,
 - (4) eighty (80') feet or less - letter height of four (4") inches,
 - (5) one hundred and sixty (160') feet or less - letter height of six (6") inches, and
 - (6) two hundred and forty (240') feet or less - letter height of eight (8") inches;
- (d) include in the text at the bottom of each sign "City of Kingston By-Law No. 79- , Maximum Penalty \$1,000.00", in letters not less than one-half ($\frac{1}{2}$) of an inch in height for signs with letter size of one (1") inch, and not less than one-quarter ($\frac{1}{4}$) of the height of the letters on all other sizes of signs.

26. (i) Notwithstanding the provisions of Section 25 hereof, one of the following graphic symbols may be used to indicate "no smoking" areas. Each symbol shall include the text "City of Kingston By-Law No. 79- , Maximum Penalty \$1,000.00" in letters and figures at least 5 per centum of the diameter of the circle in the symbol and there may be added appropriate symbols such as directional arrows. Any such symbol shall be on a white background with the circle and the interdictory

stroke in red, with a cigarette, letters and figures in black provided such symbol complies with the other provisions of this section.

(ii) With respect to size of the graphic symbol, the diameter of the circle in the symbol referred to in Subsection (i) hereof shall be not less than the number of inches prescribed below, based upon the maximum viewing distance in direct line of sight, as follows:

- (a) ten (10') feet or less - four (4") inches,
- (b) twenty (20') feet or less - six (6") inches,
- (c) forty (40') feet or less - eight (8") inches,
- (d) eighty (80') feet or less - twelve (12") inches,
- (e) one hundred and sixty (160') feet or less - sixteen (16") inches,
- (f) two hundred and forty (240') feet or less - twenty-four (24") inches.

(iii) Notwithstanding that the symbol in Subsection (i) hereof includes a cigarette, it shall include a lighted cigar, cigarette, pipe or any other lighted smoking equipment.

PENALTY

27. Any person who smokes in contravention of this by-law or otherwise contravenes this by-law, is guilty of an offence and shall upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Court acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

EFFECTIVE DATE

28. This by-law shall come into force and take effect on its passing.

GIVEN FIRST AND SECOND READINGS , 1979.

GIVEN THIRD READING AND FINALLY PASSED

CITY CLERK

MAYOR

BY-LAW NO. 79-

A BY-LAW TO LICENSE, REGULATE AND GOVERN TRAILER CAMPS
AND TO LICENSE TRAILERS IN THE CITY OF KINGSTON, AND
TO REPEAL BY-LAW NO. 1023

PASSED:

WHEREAS the municipality may pass by-laws for licencing
regulating and governing trailer camps and for licencing
trailers pursuant to the provisions of Section 383(15) and
paragraph 87 of Section 354(1) of The Municipal Act, R.S.O.
1970, Chapter 284, as amended by The Municipal Amendment Act
1976;

AND WHEREAS the municipality of The Corporation of the
City of Kingston deems it appropriate to enact such a by-law

THEREFORE the Council of The Corporation of the City of
Kingston enacts as follows:

1. In this by-law, the following shall serve as definition
 - (a) "trailer camp" means land in or upon which any
vehicle so constructed that is suitable for being
attached to a motor vehicle for the purpose of be
drawn or propelled by motor vehicle, is placed,
located, kept or maintained, notwithstanding that
such vehicle is jacked-up or that its running gear
is removed, but not including any vehicle unless
is used for the living, eating or sleeping accomm
ations for persons therein;
 - (b) "trailer" means any vehicle so constructed that i
suitable for being attached to a motor vehicle, and
capable of being used for the living, sleeping or
eating accommodation of persons, notwithstanding
such vehicle is jacked-up, or that its running gear
is removed.

2. In any area of the City of Kingston where an agreement is entered into between the City and a trailer camp operator or owner, for the operation of a trailer camp, a licence fee of \$20.00 per month shall be paid in advance by the owner of such trailer camp for each lot made available by such owner for the occupancy of a trailer during the currency of the licence and the use of any lots for the occupancy of trailers without a licence is hereby prohibited.
3. No owner of a trailer shall keep such trailer in the City of Kingston except in a trailer camp authorized or licenced by the municipality for any period longer than 30 days without first obtaining a licence from The Corporation of the City of Kingston.
4. The licence fee shall be \$20.00 per month payable in advance.
5. No licence fee shall be charged in respect of a trailer assessed under The Assessment Act.
6. This by-law shall not apply to a trailer when located in the municipality only for the purpose of sale or storage.
7. Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty to a maximum of \$1,000.00 and the fine is recoverable under The Summary Convictions Act.
8. By-Law No. 1023 of The Corporation of the City of Kingston entitled "A By-Law to Prohibit the Use of Trailers for Certain Purposes" is hereby repealed.

9. This by-law shall come into force and take effect on passing.

GIVEN FIRST AND SECOND READINGS May , 1979.

GIVEN THIRD READING AND FINALLY PASSED

CITY CLERK

MAYOR

SERIES "A"			SERIES "B"			SERIES "C"			SERIES "D"			SERIES "E"		
Edward's Drive-Ur-Self (Kingston) Ltd. (Shell) 601 Princess Street			* Buy-Rite Gasoline Co. Ltd. 1550 Princess Street			* Brite's B.P., 877 Division Street			* Norm Argue Esso, 282 Ontario Street			* Buy-Rite Gasoline Co. Ltd., 785 Montreal Street		
* Imperial Esso & Car Wash, 914 Princess Street			ES John Garrah's Shell, 677 Princess Street			* Buy-Rite Gasoline Co. Ltd., 863 Princess Street			* S Wes Reid Esso, 480 Princess Street			* S Wes Reid Esso, 480 Princess Street		
ES Gene Pelow's Texaco, 351 Montreal Street			* Buy-Rite Gasoline Co. Ltd., Queen & Barrie Streets			*** Canadian Tire Corporation, Bath Road @ Princess Street			** 401 & Division Shellwash, 1213 Division Street			** 401 & Division Shellwash, 1213 Division Street		
*ES Kingsway B.P., 887 Division Street			* Lorne Whitaker's Wash, 77 Concession Street			Buy-Rite Gasoline Co. Ltd., 5 Cataraqui Street			* Pioneer Petroleum, 1006 Princess Street			* Pioneer Petroleum, 1006 Princess Street		
* F.C. Clancy's Shell, 1121 Montreal Street			* Bob Greenwood's Fina, 1390 Princess Street			* + Self-Serve Gas Bar (Gulf) 429 Princess Street			* + Frank & Henry's Gulf, 56 Bath Road			* + Frank & Henry's Gulf, 56 Bath Road		
* Tony Overvelde Fina, 704 King Street West			* + Bob Moon's Car Wash, 834 Princess Street			* Sunoco Self-Serve, 630 Princess Street			Goodyear Service Store (She 145 Clergy Street			Goodyear Service Store (She 145 Clergy Street		
* Ontario/Queen Shell, 285 Ontario Street			Ed Wright's Gulf & U-Haul, 1181 Princess Street			B & B Fina, 1100 Montreal Street			ES Queen & Bagot Service Centr and Car Wash Ltd. (Texaco) 326 Bagot Street			ES Queen & Bagot Service Centr and Car Wash Ltd. (Texaco) 326 Bagot Street		
Save-Way Gas, 783-785 Division Street			E Petersen's B.P., 451 Division Street			Econo Service Station, 555 Princess Street			** B.P. Service Station 1129 Princess Street			** B.P. Service Station 1129 Princess Street		

ROTATION SCHEDULE

The letters shown indicate which Series of Gasoline Stations offer extended hours for that week.

JUNE 1ST, 1979 TO SEPTEMBER 30TH, 1979 ONLY:															
* OPEN 7 A.M. - 10 P.M., 7 DAYS A WEEK															
** OPEN 24 HOURS, 7 DAYS A WEEK															
FOR THE PERIOD OF THE SCHEDULE:															
+ OPEN 24 HOURS DURING THAT SERIES															
E MINOR REPAIRS EVENINGS															
S MINOR REPAIRS SUNDAYS															
NOTE: From June 1st, 1979 to September 30th, 1979, service stations shall remain open during the extended hours noted above.															
During the remainder of the schedule, service stations with authorization to remain open past normal operating hours are not required to do so and may not necessarily be open.															
TO CONFIRM HOURS OF OPERATION, PLEASE CONTACT THE POLICE DEPARTMENT AT 549-4660.															
JUNE 1980															
MAY 1980															
APRIL 1980															
MARCH 1980															

TO CONFIRM HOURS OF OPERATION, PLEASE
CONTACT THE POLICE DEPARTMENT AT 549-4660.

REPORTS (Cont'd)

Ald. Tarnowecy presented Report No. 51 of the Transportation Committee as follows:

Moved by Ald. Tarnowecy,
Seconded by Ald. Miller,

That Report No. 51 of the Transportation Committee be received and adopted clause by clause.

REPORT NO. 51

To the Mayor and Aldermen:

April 25th, 1979.

The Transportation Committee reports and recommends as follows:

1. That \$10,000. of the account of E. S. Fox Limited, in the amount of \$14,280. for supply and installation of Marker Strobe Lights at the Norman Rogers Airport, be paid.

NOTE: This recommendation is conditional on satisfactory work progress being made as at May 9th, 1979.

CARRIED

2. That the firm of Quintal and England be retained for the supply of labour, material and equipment to install a new roof over the existing roofing on the leanto of Hangar No. 3 as outlined in their quotation dated March 28th, 1979, at a cost of \$4,580.00.

NOTE: Funds are available in the 1979 Budget for this purpose.

CARRIED

3. WHEREAS the Kingston Area Planning Board resolved that approval of Official Plan Amendment No. 16 of the Township of Kingston be recommended to the Ministry of Housing, to change the designation from ENVIRONMENTAL PROTECTION AREAS

(a) for the area within the proposed subdivision, to "LOW DENSITY RESIDENTIAL"; and

(b) for the area on the Kingston Airport property, to "AIRPORT".

NOW THEREFORE BE IT RESOLVED that the City of Kingston does not object to Official Plan Amendment No. 16, but recommends that the small triangular shaped land west of the proposed north/south arterial road and adjacent to the Kingston Airport boundary be designated "AIRPORT" to be consistent with the adjacent land on the west and south boundaries of this area.

REPORTS (Cont'd)

Report No. 51 - Transportation Committee

Respectfully submitted,

(Signed) V. Tarnowecky (Chairman)

Lois E. Miller

J. Clark

John Clements

G.L. Webb

* * *

Ald. Gorham presented Report No. 52 of the Parks and Recreation Committee as follows:

Moved by Ald. Gorham,
Seconded by Ald. Bishop,

That Report No. 52 of the Parks & Recreation Committee be received and adopted clause by clause.

Report No. 52

April 26, 1979

To the Mayor and Aldermen

The Parks and Recreation Committee recommends
as follows -

1. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the United Way of Kingston and District be permitted to use the Council Chamber at no charge on the evening of May 9, 1979 for purpose of holding their Annual General Meeting, and the Cataraqui Room for a meeting of the Board of Directors immediately following the General Meeting, it being understood they will relinquish the use of the Council Chamber if it is required by the City.

CARRIED

2. That since it was not possible to undertake the alterations to the Elmer Youth Centre last year because the lowest tender price for the work exceeded the funds provided in the construction by-law, and since additional funds, in the amount of \$45,000.00, have been provided in the 1979 Capital Budget to permit the work to be undertaken, By-law No. 9259 - A By-law to Authorize Alterations to the Elmer Youth Centre at a cost of \$115,000. and the Purchase of Equipment for the Cook Youth Centre at a cost of \$35,000. - be amended to increase the cost of the alterations to the Elmer Youth Centre to \$160,000 all of which is to be debentured.

CARRIED

REPORTS (Cont'd)

Report No. 52 - Parks & Recreation Committee

3. That the tender for No. 1 Nursery Sod for the Parks and Recreation Department and the Public Works Department be awarded in part to -

Belhaven Sod	- \$.48	per sq. yd.
Manderley Turf Farms Ltd	- \$.5016	per sq. yd.

being the two lower tenders received.

Note The slight price differential is more than offset by the potential advantages of alternative sourcing.

CARRIED

4. That the 1971 Agreement with The Kingston District Chamber of Commerce to lease them the first and second floor of the former Canadian Pacific Railway Office situated on the east side of Ontario Street, a copy of which is attached hereto as Schedule "A", be renewed, as amended hereunder, for a period of one year from May 1, 1979, recommended by the City Solicitor -

- (a) Page 1, Para. 2 (term of lease) - Delete the words "five years" and substitute therefor the words "one year".
- (b) Page 2, Para. 3 - Delete the reference to "heat or water on the second floor" as this no longer applies.

CARRIED

5. Whereas the Sydenham Ward Tenants' and Ratepayers' Association has proposed the restoration of the Newlands Pavilion located in Macdonald Park at a total estimated cost of \$47,175.00 of which The Ontario Heritage Foundation has agreed to pay one-half, \$23,587.50, and the City has agreed to pay \$11,900.00 toward the project.

That, as recommended by the City Treasurer and the City Solicitor, the Mayor and Clerk be authorized to execute an agreement with Sydenham Ward Tenants' and Ratepayers' Association for the restoration of the Newlands Pavilion at a cost not to exceed \$11,900.00 to the City and on the understanding:

- (a) that the City would NOT be responsible for the cost of any portion of expense beyond its share of the contract price;
- (b) plans and contractual arrangements to be to the satisfaction of the Parks and Recreation and Building Inspection Departments; and
- (c) the restoration work on the City Owned Pavilion shall not entitle the Association to any interest in the property.

CARRIED

Ald. Tarnowecky withdrew at 10:20 p.m.

Respectfully submitted,

(Signed) M. Gorham (Chairman)
Bill Bishop
J. Clark
A. Lampropoulos
Neil McArthur

Schedule "A" to Clause 4, Report No. 52

SCHEDULE "A" TO BY-LAW NO. 7083

THIS INDENTURE made the 25th day of October, one thousand, nine hundred and seventy-one, and amended the 22nd day of November, one thousand, nine hundred and seventy-one, IN PURSUANCE OF THE SHORT FORMS OF LEASES ACT, IN SUBSTITUTION OF LEASE DATED the 6th day of July, 1966.

B E T W E E N:

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter called the "Lessor")

OF THE FIRST PART

- and -

THE KINGSTON DISTRICT CHAMBER OF COMMERCE
(hereinafter called the "Lessee")

OF THE SECOND PART

WITNESSETH, that in consideration of the rents, covenants and agreements, hereinafter reserved and contained on the part of the Lessee, the Lessor doth demise and Lease unto the Lessee the first floor and the second floor of the former Canadian Pacific Railway Office situated on the east side of Ontario Street.

TO HAVE AND TO HOLD the said demised premises for and during the term of five years, to be computed from the first day of January, one thousand, nine hundred and seventy-two, and from thenceforth next ensuing and fully to be complete and ended.

YIELDING AND PAYING therefor unto the said Lessor annually on the first day of each year of the term the sum of One Dollar (\$1.00).

THE SAID LESSEE COVENANTS WITH THE SAID LESSOR:

- a) To pay rent.
- b) And to repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted.
- c) And that the said Lessor may enter and view state of repair; and that the said Lessee will repair according to notice in writing, reasonable wear and tear and damage by fire, lightning and tempest only excepted.
- d) And will not assign or sublet without leave.
- e) And to pay all costs of or rates for telephone, electricity, heating and water.
- f) And to provide its own janitor services for the said demised premises.
- g) And that it will leave the premises in good repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted.
- h) Provided, that the Lessee may remove its fixtures.

- 2 -

THE SAID LESSEE HEREBY FURTHER COVENANTS:

- a) That it will insure the demised premises against public liability to the extent of \$100,000.00 all risks, naming the Lessor an insured person, and will provide the Lessor at all times with a certified copy of such policy of insurance.
- b) That before undertaking any renovations to the premises it will obtain the approval of its renovation plans from the Parks, Recreation and Property Committee in writing.

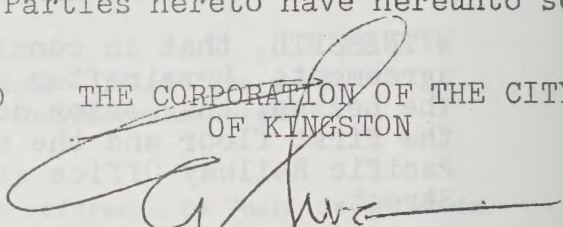
THE SAID LESSEE HEREBY ACKNOWLEDGES UNTO THE SAID LESSOR that there is no provision by the said Lessor for heat or water on the second floor of the demised premises, and that the demised premises are being leased in an as is basis.

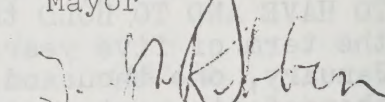
THE SAID LESSOR COVENANTS WITH THE SAID LESSEE FOR QUIET ENJOYMENT.

IN WITNESS WHEREOF the said Parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED
In the Presence of

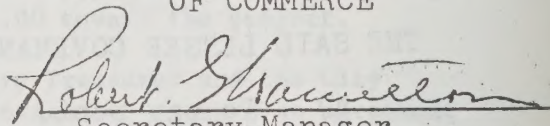
THE CORPORATION OF THE CITY
OF KINGSTON

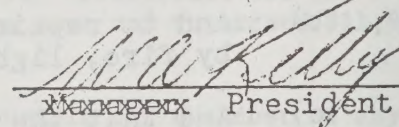


Mayor

Clerk-Comptroller

THE KINGSTON DISTRICT CHAMBER
OF COMMERCE



Secretary-Manager

President

REPORTS (Cont'd)

Ald. Matthews presented Report No. 53 of the Public Works Committee as follows:

Moved by Ald. Matthews,
Seconded by Ald. Lampropoulos,

That Report No. 53 of the Public Works Committee be received and adopted clause by clause.

Report No.53

May 7, 1979

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

Ald. Tarnowucky returned at 10:25 p.m.

1. That Concession St from Division St to Alfred St be closed to east bound traffic for a ten week period commencing May 15, 1979 to facilitate construction of underground services and reconstruction of the road, it being understood that east bound access will be allowed for emergency vehicles.

CARRIED

2. That as concurred in by the Community Centre Board, the paved boulevard on the north side of York St. between Alfred St. and Nelson St. be authorized to be reconstructed by day labour and that the cost be apportioned as follows:

Community Centre Board	\$11,000.00
Public Works Budget Appropriation -	
Maintenance of Permanent Pavements	<u>11,000.00</u>
Total	\$22,000.00

CARRIED

Respectfully submitted,

(Signed) K. Matthews (Chairman)
A. Lampropoulos
Bill Bishop
J. Hawkins
Neil McArthur

REPORTS (Cont'd)

Ald. McArthur withdrew at 10:54 p.m. and returned at 10:56 p.m.
Ald. Webb withdrew at 10:55 p.m. and returned at 10:57 p.m.
Ald. Tarnowecky withdrew at 10:55 p.m. and returned at 10:56 p.m.
Ald. Lampropoulos withdrew at 10:56 p.m. and returned at 10:58 p.m.

Ald. Timmins presented Report No. 54 of the Planning Board as follows:

Moved by Ald. Timmins,
Seconded by Ald. Clements,

That Report No. 54 of the Planning Board be received and adopted
clause by clause.

REPORT NO. 54

May 8, 1979

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and
recommends as follows:

1. WHEREAS it is the policy of Council through
its Official Plan "to encourage new development
and improvement in the Central Business District ";
and

WHEREAS it is considered desirable that
the City endeavour to take advantage of the
Ontario Downtown Revitalization Program in order
to implement this policy; and

WHEREAS it is the opinion of the Planning
Board that the area bounded by Princess, Ontario,
Wellington Streets and the Great Cataraqui River
and the block bounded by Princess, Ontario, Brock
and King Streets is an appropriate area for
development and improvement; and

WHEREAS it is a requirement of participat-
ion in the Downtown Revitalization Program that
the area concerned be designated a "redevelopment
area" under Section 22 of The Planning Act;

THEREFORE BE IT RESOLVED that the area
bounded by Princess, Ontario, Wellington Streets
and the Great Cataraqui River, and the block
bounded by Princess, Ontario, Brock and King
Streets be designated a "redevelopment area"
under Section 22 of The Planning Act and that
approval of the designating by-law be requested
of the Minister of Housing; and

BE IT FURTHER RESOLVED that a "call for
development proposals" be prepared, subject to
the approval of the Planning Board and Council,
and thereafter be advertised.

CARRIED 11:4

(See following Motions of Amendment which were lost)
(See Recorded Vote)

REPORTS (Cont'd)

Report No. 54 - Planning Board

Moved by Ald. Webb,
Seconded by Ald. McArthur,

That Clause 1, Report No. 54, fifth paragraph, be amended to provide that the redevelopment area shall be bounded by Queen, Ontario, Bagot and North Streets and the Great Cataraqui River.

LOST 1:14

Moved by Ald. Bishop,
Seconded by Ald. Webb,

That Clause 1, Report No. 54, fifth paragraph, be amended to provide that the redevelopment area shall be bounded by the streets and waters as follows:

"Commencing at the intersection of Wellington Street and the Great Cataraqui River; thence, south along Wellington Street to Barrack; thence, west on Barrack Street to Bagot Street; thence, south on Bagot Street to Queen Street; thence, west on Queen Street to Montreal Street; thence, south on Montreal Street to Brock Street; thence, east on Brock Street to the water's edge; thence, northerly along Lake Ontario and the Great Cataraqui River to the point of commencement."

LOST 3:12

Ald. Knapp requested a recorded vote on Clause 1, Report No. 54, which was as follows:

YEAS: Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. Miller, Ald. Tarnowecky (11).

NAYS: Ald. Hawkins, Ald. McArthur, Ald. Timmins, Ald. Webb (4)

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That in accordance with Rule 16 of By-Law No. 1, permission be given to continue the City Council Meeting until consideration of the Agenda is completed.

CARRIED

2. WHEREAS on December 18, 1978, Council adopted a Housing Policy Statement for the City of Kingston, which Statement was submitted to the Minister of Housing for approval; and

WHEREAS the Minister of Housing has approved the Statement, subject to certain amendments, with regard to the supplementary recommendation concerning the disposal of Government-owned property; and

WHEREAS this matter has been considered by the Housing Subcommittee and the Planning Board;

THEREFORE BE IT RESOLVED that the Housing Policy Statement of the City of Kingston be amended as follows:

REPORTS (Cont'd)

Report No. 54 - Planning Board

2. (Cont'd)

Add to the supplementary recommendation concerning disposal of Government-owned property, the words "acquiring title to" so that it reads:

"... in the event of the disposal of land owned by various levels of government or any board, agency, commission or government-related institution, Planning Board and Council should consider the desirability of acquiring the title to and developing the land for housing purposes, possibly through the Municipal Non-Profit Housing Corporation".

CARRIED

3. WHEREAS a request was received from the Kingston Housing Authority that the residency requirement for rent-geared-to-income housing be waived when zero or no suitable applicants exist in any particular unit size category; and

WHEREAS this request has been considered by the Housing Subcommittee and a meeting held with representatives of the Kingston Housing Authority; and

WHEREAS it is the feeling of the Housing Subcommittee and Planning Board that the number of vacancies is not large in comparison to the total number of housing units available;

THEREFORE BE IT RESOLVED that no action be taken on the request of the Kingston Housing Authority that the residency requirement for rent-geared-to-income housing be waived when no suitable applicants exist in any particular unit size category.

(Note: The residency requirement now states that an applicant must have resided in the City of Kingston for at least 12 consecutive months)

CARRIED

REPORTS (Cont'd)

Report No. 54 - Planning Board

Ald. Gorham declared a conflict of interest with regard to Clause 4, Report No. 54 as he had acted as Solicitor for the Province of Ontario.

4. That Council does hereby reaffirm the policy of the Official Plan of The Corporation of the City of Kingston with respect to the maintenance of public and visual access to the waterfront along King Street, notwithstanding the City's intention to close a portion of this street, and particularly with regard to the 66 ft. street allowance proposed to be transferred to the Provincial government for construction of the O.H.I.P. building; and further

That the leasing rather than selling of City property in this regard be considered.

CARRIED

(Ald. Gorham abstained from voting)

Respectfully submitted,

(Signed) Grant Timmins (Chairman)

Ken Keyes

John Clements

W. Knapp

Lois E. Miller

* * *

REPORTS (Cont'd)

Ald. Timmins withdrew at 12:02 a.m.

Ald. Gerretsen presented Report No. 55 of the Finance & Accounts Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Report No. 55 of the Finance & Accounts Committee be received and adopted clause by clause.

REPORT NO. 55

May 9, 1979

To the Mayor and Aldermen:

The Finance & Accounts Committee reports as follows:

1. That the Supplementary Budget of the Children's Aid Society of the City of Kingston and the County of Frontenac for 1979 to establish an Alternatives to Care Programme in the amount of \$47,550.00 (the City's share of which is \$5,166.00) be approved,

- and further -

That the following budget transfer be approved:

	<u>Increase</u>	<u>Decrease</u>
Children's Aid Society Inc.	\$5,166.	-
Finance Contingency	-	\$5,166.

(Note: A written outline of the programme was attached as Schedule "A" to the Finance Agenda)

CARRIED

Ald. Clements withdrew at 12:03 a.m.

2. That the following resolution of the City of Sudbury be endorsed:

"WHEREAS The Discriminatory Business Practices Act, 1978 prohibits discrimination in business on the basis, inter alia, of geographical locations;

AND WHEREAS the Council of the Corporation of the City of Sudbury deems it desirable to award contracts to local businesses where all other matters are equal;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the City of Sudbury does hereby petition the Province of Ontario to amend The Discriminatory Business Practices Act, 1978, to exempt Municipal Corporations from the 'geographical location' provisions therein."

REPORTS (Cont'd)

Report No. 55 - Finance & Accounts Committee

Ald. Gorham withdrew at 12:05 a.m.

3. That no action be taken on the following resolution received from the Regional Municipality of Niagara:

"WHEREAS governments at all levels are experiencing a reduction in their revenue growth; and

WHEREAS this has led to expenditure restraint on many essential programs; and

WHEREAS the Province's involvement in lottery operations continues to increase; and

WHEREAS the revenue from such lotteries has in the main been directed to recreational and cultural programs; and

WHEREAS these types of programs have been termed by both the Treasurer of Ontario and the Ontario Municipal Board as being 'less essential' in capital financing priorities;

THEREFORE THE Council of the Regional Municipality of Niagara resolves as follows:

- a) That the Province of Ontario reconsider its policy with regard to the present use of lottery revenues with a view to directing such revenues into programs of higher municipal and provincial priority."

CARRIED

4. That, as recommended by the City Treasurer, a by-law be presented to Council to levy a tax for 1979, in accordance with Section 304 of The Municipal Act, R.S.O. 1970, as amended, on the following Universities, Colleges, and Hospitals at a rate of \$50.00 for each full-time student enrolled or for each Provincially rated bed, with effect from July 1, 1979:

Queen's University	10,469	\$523,450.00
Queen's Theological	77	3,850.00
St. Lawrence College	1,751	87,550.00
Psychiatric Hospital	468	23,400.00
Hotel Dieu Hospital	281	14,050.00
Kingston General Hospital	590	29,500.00
Ongwanda Hospital	82	4,100.00
Ongwanda Hospital - Penrose Division	142	7,100.00
St. Mary's of the Lake Hospital	210	10,500.00
		<u>\$703,500.00</u>

(Note:

	<u>1979 Tax Levy</u>	<u>Budget Amount</u>
Universities & Colleges	614,850	614,850.
Hospitals	<u>88,650.</u>	<u>88,650.</u>
	<u>\$703,500.</u>	<u>\$703,500.</u>

CARRIED

REPORTS (Cont'd)

Report No. 55 - Finance & Accounts Committee

5. That the Health Unit and the Ministry of Health be notified that the City is in agreement with the issuance of a change order in the amount of \$1,178.10 to the contract with T.A. Andre & Sons Ontario Limited for reimbursement of the water and sewer surcharge for the addition to the Health Unit it being noted that the Ministry of Health is agreeable to this charge.

CARRIED

6. That Mrs. Mary Stewart of 404 Albert Street be appointed as a member of the Local Architectural Conservation Advisory Committee for the period ending November 30, 1979.

CARRIED

7. That Mr. B. Breen of 100 Cliff Crescent be appointed a City of Kingston representative to the Kingston Frontenac Lennox and Addington Health Unit.

CARRIED

Ald. Gorham returned at 12:10 a.m.

8. That no action be taken on the request of Mr. Andrew Shaw, Friends of Chamber Music, Inc., The String Quartet Institute for a grant in the amount of \$500.00.

Ald. Clements returned at 12:13 a.m.

CARRIED

Ald. Timmins returned at 12:15 a.m.

Ald. Gorham withdrew at 12:15 a.m.

9. That, as recommended by Smith, Mill & Ross Architects, Grand Theatre, the following Change Orders to the contract with Emmons and Mitchell Construction Ltd. be approved:

a) Change Order No. 6

Work necessary for the supply and installation of Mechanical and Electrical items in connection with adjustments and repairs to the Boiler Room. \$6,574.58

b) Change Order No. 7

To sandblast exterior stone work (pilasters). \$ 200.00

c) Change Order No. 8

483

Supply and install all labour and materials necessary for the installation of reinforcement to ceiling structure \$14,334.24

REPORTS (Cont'd)

Report No. 55 - Finance & Accounts Committee

9. (Cont'd)

d) Change Order No. 9

Provide all labour and materials necessary
for the following:

i) installation of additional columns at entry to
Women's Washrooms.

ii) strengthening of stairwell stud wall in lounge.

iii) installation of additional floor members. \$ 1,264.40

e) Change Order No. 10

Provide and install all labour and materials
necessary in connection with angle iron tie
for twisting steel roof joists

\$ 575.19

f) Change Order No. 11

Provide Credit in connection with the deletion
of roughing-in of feeder to third floor apartment

\$ 656.00 (CR.)

Change Order No. 5 for the installation of washrooms downstairs
has been cancelled.

CARRIED

Ald. Webb opposed

10.

That, as requested by the Kingston and District Agricultural Society, it be recommended to Council that the application of the Kingston and District Agricultural Society for a permit to operate a beer tent on the grounds of the Kingston Memorial Centre during the Kingston Exhibition from July 17th to July 21st 1979 on the understanding that the beer tent would close at 10 p.m. and that it would be strictly policed, be supported.

CARRIED

11.

That, as recommended by the Chief Administrative Officer, based on information supplied by the Public Utilities Commission, the following resolution of the Borough of Scarborough NOT BE endorsed:

"WHEREAS the conclusions and recommendations do not accurately reflect the data contained in the report, and

WHEREAS Canadian Standards Association and Ontario Hydro data indicates a failure rate of aluminum-wired branch circuit devices in Ontario ranging from 10-50 times higher than the failure rate for copper (Report Part 2, p.153 - ".....in the period 1973 - 1977 the Association received reports of 284 failures in receptacles and devices wired with aluminum and of 50 failures with copper in the same period.") and

WHEREAS, whilst overheating copper-wired devices remain relatively stable, those with aluminum wire become progressively hotter with continued use;

THEREFORE BE IT RESOLVED that the Province of Ontario be urged not to implement Recommendation 9 of the Commission suggesting continued authorization for aluminum wiring, but instead place a five-year moratorium on its use in Ontario to allow further testing and monitoring of existing wiring and any improved wire, equipment and devices."

(Note: A copy of the Report of the Chief Administrative Officer was distributed to the members of Council with the Finance Agenda.

CARRIED

REPORTS (Cont'd)

Report No. 55 - Finance & Accounts Committee

12.

That, as recommended by the Chief Administrative Officer, following receipt of comments from the Commissioner of Public Works who has stated that the fact that the district M.O.E. office is in the City of Kingston suggests that it may not be necessary for the City to become involved, the following resolution of the Borough of Etobicoke be not endorsed:

"THAT the Honourable H. Parrott, Minister of the Province's Ministry of the Environment, be informed that the Works Committee generally concurs with the proposed legislation which would enable the Province to clean up major hazardous spills and charge the owners involved. At the same time, in the opinion of the Works Committee, it would be highly desirable to expand this legislation to also enable municipalities to clean up spills of the kind normally under their

jurisdiction and similarly charge the owners involved with the authority to place liens on the properties if feasible. It is understood and agreed that municipalities have a responsibility to keep the Province informed of such spills but it would not be feasible for municipalities to obtain prior authorization from the Province to proceed with the cleaning up of spills in every instance, especially taking into account the need to take immediate action at times, and

THAT the municipalities of Metropolitan Toronto and other major municipalities in the Province of Ontario be requested to give their support to this matter."

(Note: A copy of the report of the Chief Administrative Officer was distributed to the members of Council with the agenda.)

CARRIED

13. WHEREAS, notification was received from the Cataraqui Region Conservation Authority that the budget for Lemoine Point Conservation Area was over-expended in the amount of \$2,069.06 for 1978.

AND WHEREAS, the City is requested to pay its share in the amount of \$517.27 with the Township of Kingston to pay \$1,551.79.

THEREFORE BE IT RESOLVED that authorization be given to payment of City's share in the amount of \$517.27 and the following budget transfer be approved:

	<u>Increase</u>	<u>Decrease</u>
Cataraqui Region Conservation Authority	\$517.27	-
Finance Contingency	-	\$517.27

CARRIED

14. That the proposal of the Archives and Records Committee to use the Clock Tower of City Hall for a museum be approved,

- and -

That the amount of \$1,000.00 be provided from Finance Contingencies for this purpose it being noted that the proposal has been approved by the Local Architectural Conservation Advisory Committee,

- and further -

That the following Budget Transfer be approved:

	<u>Increase</u>	<u>Decrease</u>
485 A/C No. 3215 -Contribution from current revenue	\$1,000.	-
Finance Contingency	-	\$1,000.

CARRIED

REPORTS (Cont'd)

Report No. 55 - Finance & Accounts Committee

15. That, as recommended by the Archives and Records Committee the following policy with respect to material donated to the City be approved:

"That material donated to the City of Kingston be listed in the holdings of the archives and artifacts of the City, and in turn may be loaned to other museums or archives for display purposes, providing such material is suitably protected and that credit is given both to the City of Kingston and to the original donor".

CARRIED

16. That approval be given to the City Hall Staff Association to hold their annual picnic on July 11, 1979 and in the event of rain, on July 18, 1979,

- and -

That the staff of City Hall be permitted to have the afternoon off to attend the picnic.

CARRIED

17. That Mayor Ken Keyes be appointed the City of Kingston representative to the Via Ontario Advisory Council which is being formed to assist the four Via regional organizations with the task of providing improved, attractive inter-city rail passenger services. All expenses will be paid by Via Rail Canada.

CARRIED

18. That, the City enter into an agreement with The Corporation of The Township of Kingston, The Corporation of The Township of Ernestown, The Corporation of The Township of Pittsburgh and The Kingston District Chamber of Commerce in the form distributed to all members of Council for the establishment of the Kingston Area Economic Development Commission, said agreement to contain the following main conditions:

a) The following representation:

4 members of the Chamber of Commerce
1 member of each of the four municipalities.

b) Budget requirement for the first three year period shall be \$80,000.00 per year (\$20,000.00 from The District Chamber of Commerce) and \$60,000.00 from the municipalities.

c) Board to be established for a three year period with each municipality having the option to opt out at the end of two years or any time thereafter on one year's notice.

d) The matter of financing of the Commission to be reviewed at the end of two years taking into account changes in population and assessment.

CARRIED

REPORTS (Cont'd)

Report No. 55 - Finance & Accounts Committee

19. That Alderman Lois Miller be appointed the City representative to the Advisory Council to Kingston City Council on the Needs of the Handicapped and Elderly.

CARRIED

20. That, as recommended by the City Treasurer, pursuant to Section 636(a) of The Municipal Act, R.S.O. 1970, as amended, the applications of persons and firms listed on the attached Schedule "A" in the amount of \$582.76 for cancellation, reduction or refund of taxes levied in 1978 be approved.

CARRIED

Ald. McArthur declared a conflict of interest in Clause 21 since he operates Fort Battery Service.

21. That list of Accounts No. 4 dated April, 1979, in the amount of \$5,985.78 be approved, it being noted that the expenditures were incurred under proper authorization.

(Note: Copy of List of Accounts Distributed to each member of Council).

22. WHEREAS, on March 13, 1979, City Council approved the purchase of a vacant parcel of land located at the southeast corner of MacDonnell and Park Streets, being Parts of Lots 4 and 5, Registered Plan B-23, more particularly described as Part 1 on Reference Plan 13-R-3288, being Part of Lots 4 and 5 on Registered Plan B-23,

AND WHEREAS, the City Solicitor in checking the title has found that Part 1 on Reference Plan 13-R-3288 is already in the name of the City of Kingston, as it had been purchased by the City on behalf of the Board of Education, as part of Rideau School site;

AND WHEREAS, the City Solicitor has reported that the Frontenac County Board of Education has requested that the City provide a Quit Claim Deed to the School Board for not only the property to be purchased by the City but for the other parts of land upon which Rideau School is situated and notes that although the City would appear to have title in the Registry Office, there is little doubt that the Board of Education has certain rights in this land over an extended period of time, and by possession of the land over an extended period of time, and by virtue of the fact that the Board of Education would have repaid the debentures issued by the City;

THEREFORE BE IT RESOLVED that the Mayor and City Clerk be authorized to execute a Quit Claim Deed to the Frontenac County Board of Education for all of the property on which the Rideau School is located and upon execution of the Quit Claim Deed, proceed with the acquisition of Part 1 on Reference Plan 13-R-3288, being Part of Lots 4 and 5 on Registered Plan B-23 for the sum of \$20,000.00.

CARRIED

(Ald. Knapp opposed)

23. That, as recommended by the Public Works Committee in order that the City would have 6 garbage packers in good condition and it is anticipated no problems would be involved with normal 6-route pick-up, authorization be given to a deficit of \$8,800.00 to be incurred in the Garbage Department Budget to permit the purchase of a second back end not budgeted for and a payment of sales tax on the back end budgeted for,

- and further -

That the quotation of S.M.I. Industries Limited dated April 20, 1979 to supply two new back ends for garbage packers at a cost of \$7,845.00 each plus sales tax for a total of \$16,788.30 be accepted being the only source of supply.

(Note: One new back end and a new Packer were included in the proposed 1979 budget but the Packer was deleted.

Each back end will consist of the tailgate, packing blade, hopper, two packing cylinders, two hopper cylinders, control valves and all hydraulic lines in tailgate, completely wired with necessary lights to install on existing body).

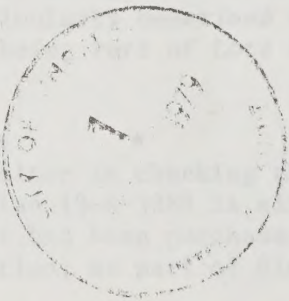
CARRIED

Respectfully submitted,

(Signed) Ken Keyes (Chairman)
J. Gerretsen
M. Gorham
K. Matthews
Y. Tarnowecky
Grant Timmins

* * *

Roll #	Applicant	Address	# of Mo. B R C	Explanation	Gen-eral	Gar-age	Pub. Sch.	Sec. Sch.	D.T. Levy	Pen-alty	Refund Public	Cancellation Public
010 120 01500 0030 001B	City Wide Cleaners	116 Wellington	12 B	Moved Out	12.17		5.68	4.66		2.53		25.04
010 130 00400 0010 011M	Wellington Publish.	155 Wellington	7 B	Moved Out	33.40		15.59	12.77		2.48		64.24
020 030 00800 0091 011E	Dave Bardeau Ltd.	844 Princess	7 B	Moved Out	51.28		23.93	19.61		3.80		98.62
020 130 07300 0030 001F	Murray Rielly	346½ Princess	5 B	Reduced Area	14.09		6.58	5.39		2.34		28.40
030 040 03900 0030 021A	Indian Bazaar	357 Princess	12 B	Moved Out	76.64		35.77	29.31		15.62		157.34
030 020 01300 0000 000H	David Lam	366 Division	2 B	Dem. Gar.	1.92	.20	.95	.78			3.85	
030 040 03900 0040 001B	Ram K. Kumar	357 Princess	12 B	Moved Out	57.26		26.72	21.89	14.22	13.21		133.30
030 080 09900 0081 021F	Brock Business Agen.	310 Baat	5 B	Relocated	7.14		3.33	2.73			13.20	
030 140 06000 0000 000B	Agnes Martin	336 Sydenham	2 R	Dem. Bldg.	13.09	1.36	6.46	5.30			26.21	
040 130 10400 0000 000E	Lewis Roper	10 Shaw	3 R	Fire	16.29	1.69	8.05	6.59			32.62	
					283.28	3.25	133.06	109.03	14.22	39.98	43.26	539.56



UNFINISHED BUSINESS

Alderman Lampropoulos said that during Canada Week the City of Kingston Parks and Recreation Department, LaSalle Secondary School and the Chamber of Commerce will be co-sponsoring a Jog-A-Thon on Sunday, June 24th 1979. The Jog-a-Thon this year would be 12 km in length, 1 km for each province and territory that makes up the great Country of Canada. The course will be completed at a person's own pace. He urged everyone to come out and bring their friends. The Jog-A-Thon would commence at the Cricket Field and end at LaSalle Secondary School. Further information could be obtained from the Parks & Recreation Department offices.

Alderman Webb said that he was disturbed by comments in the newspaper attributed to someone at City Hall. It was stated that this person was in the line up at the Post Office for fifteen minutes because of the slow people working at the Post Office and he was going to apply for overtime. He had called City Hall and had been told that this person was not in the employ of City Hall but had been sent by Manpower to fill in while a job was posted. The way the article was written it would seem that the Mayor had made the remarks about the delays at the Post Office. He said that he was speaking on behalf of fellow employees at the Post Office and not for the management of the Post Office.

Alderman Miller said that she had read the comments in the newspaper but had formed a different interpretation. The person was standing in line and had been asked for comments and had made some. It had not appeared from the article that someone was speaking on behalf of City Hall. She personally had received excellent service from the Post Office.

Alderman Miller said that she had previously requested that when a street is temporarily closed because of construction or emergency street repair that someone make sure that the residents are contacted with regard to access to and from their properties. A section of Sydenham Street was closed because of the steam line for the Hotel Dieu Hospital. She had asked some months ago about the arrangements made for people on this street and was assured that the contractor would be speaking to them with regard to access, etc. It had taken several calls by herself and a member of the City Hall Staff to get someone from the construction firm and engineering firm to make this type of arrangement. She said that at to-night's meeting a closing of a street was approved and she would like to ensure that the people are notified. She would also like to be ensured that measures would be taken to reduce dust problems.

Alderman Knapp said that he had received a number of complaints about the lack of parking in the older sections of the City. He asked that the Transportation Committee at their next meeting discuss the possibility of issuing residency stickers in addition to regulations with regard to all day parking.

Alderman McArthur said that streets belong to the taxpayers as well as to the residents of the particular street. The matter had been discussed previously by the Transportation Committee. Alderman Gerretsen and former Alderman Norton had talked about boulevard parking. Nothing seems to work. He suggested that a solution might be to purchase a property in the middle of the block and have a community parking lot.

Alderman McArthur said that he believed in law and order and if a man breaks the law he should be punished. Now he had heard about a union leader who had broken the law and he had very little use for him. The union had been good for him and he was all for the union but he believed that people should work for what they get. He said that he was tired of the unions crying the blues.

Alderman McArthur commented on an article in the Toronto paper with regard to nude dancing. He said that loss of law and order is when you have moral corruption. This is what is going to happen in Kingston if steps are not taken with regard to nude dancing.

Alderman Clements said that last year he had sat on the Community Services Committee for one reason and that was to put through a noise enforcement by-law. He had received a complaint on Friday night with regard to noise and the Police Department were unable to do a thing.

Mayor Keyes said that the police had been notified of a serious noise problem on the week-end. The noise by-law was approved by City Council

UNFINISHED BUSINESS (Cont'd)

and the Provincial Government and the Police Chief is working with his men to get them to read, understand and implement the by-law. The Police Department enforce the by-law with regard to noise made by humans and animals and the Property Standards Department will enforce noise with regard to equipment.

Alderman Clements said that the noise problem he was talking about was at the corner of Durham and MacDonnell Streets and he was told that there was nothing the Police could do.

Alderman Webb mentioned recent articles regarding the Kingston Tourist Bureau.

Mayor Keyes said that the matter had been looked after.

* * *

BY-LAWS

Council consented to the deletion of the figures "\$165,000" in the heading of By-Law No. 3 and the substitution of the figures "\$160,000".

Council consented also to the addition of By-Law No. 13.

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That By-Laws 1 to 4, 6 to 9 and 13 be given their First and Second Readings.

CARRIED

- (B) Moved by Ald. Matthews,
Seconded by Ald. Webb,

That By-Law 5 be given its Second Reading.

CARRIED

- (C) Moved by Ald. Timmins,
Seconded by Ald. Gerretsen,

That Rule No. 35 of By-Law 1 be suspended for the purpose of giving By-Laws 6 to 9 and 13 their Third Reading.

CARRIED

- (D) Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That By-Laws 6 to 13 be given their Third Reading.

CARRIED

* * *

MOTIONS

- (1) Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That the sympathy of Council be extended to the family of the late Rein Quatsch.

CARRIED

- (2) Moved by Mayor Keyes,
Seconded by Ald. Webb,

That the sympathy of Council be extended to the family of the late Harold C. Anglin.

CARRIED

The following Notices of Motion were received:

- (3) Moved by Ald. Clark,
Seconded by Ald. Clements,

That the Planning Department contact those affected by the designation of a redevelopment area under Section 22 of the Planning Act (Clause 1, Report No. 54) to encourage their input in developing the prospectus for the calling of proposals.

REFERRED TO PLANNING BOARD

- (4) Moved by Ald. Webb,
Seconded by Ald. Matthews,

That the matter of the development of a community size shopping centre in the approximately 36 acre site on the east side of Division, between Weller and Benson Streets, (Clause 1, Report No. 36) be reopened.

TO BE CONSIDERED ON MAY 28, 1979

- (5) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Council do now adjourn.

CARRIED

Council Adjourned at 1 a.m. May 15, 1979.

(L.S.)

(Signed) M.C. Healy
City Clerk

(Signed) Ken Keyes
Mayor

That the City Council do now adjourn.
Seconded by Ald. Garrison.
(1) Moved by Ald. Garrison,
That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.
Seconded by Ald. Garrison.
(2) Moved by Ald. Garrison,
That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.
Seconded by Ald. Garrison.
(3) Moved by Ald. Garrison,
That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.

That the City Council do now adjourn.

(4) Moved by Ald. Garrison,
That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.
Seconded by Ald. Garrison.
(5) Moved by Ald. Garrison,
That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.

(6) Moved by Ald. Garrison,
That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.
Seconded by Ald. Garrison.
(7) Moved by Ald. Garrison,
That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.

That the City Council do now adjourn.

(8) Moved by Ald. Garrison,
That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.

That the City Council do now adjourn.
Seconded by Ald. Garrison.
(9) Moved by Ald. Garrison,
That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.
Seconded by Ald. Garrison.

That the City Council do now adjourn.

(10) Moved by Ald. Garrison,
That the City Council do now adjourn.
Seconded by Ald. Garrison.

CITY COUNCIL MEETING NO. 20

A Special Meeting of City Council, summoned by Mayor Keyes, will be held on Friday, May 18, 1979, at 12 Noon, in the Council Chamber, City Hall, to consider acceptance of tender No. 79-19 for Automotive Equipment, a copy of which was distributed to members of Council with the Finance Agenda for May 9, 1979.

ROLL CALL

COMMITTEE OF THE WHOLE

- (1) That Council resolve itself into a Committee of the Whole, with Mayor Keyes in the Chair, to consider the Report of the Chief Administrative Officer concerning the acceptance of Tender No. 79-19 for Automotive Equipment.
- (2) That Council Rise from the Committee of the Whole and the Chairman Report.

COUNCIL

- (1) That the Report of the Committee of the Whole be adopted, approved and confirmed.

BY-LAWS

- (A) That By-Law 1 be given its First & Second Readings.
- (B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law 1 its Third Reading.
- (C) That By-Law 1 be given its Third Reading.

* * *

- (1) A By-Law to Confirm the Proceedings of Council at its Special Meeting Held May 18, 1979.

(THREE READINGS)
City Council Meeting No. 20, 1979

(PROPOSED NO. 79-102)

MOTIONS

CITY COUNCIL MEETING NO. 20

A Special Meeting of City Council, summoned by Mayor Keyes, to be held on Friday, May 18, 1979, at 12 Noon, in the Council Chamber, City Hall, to consider acceptance of Tender No. 79-19 for Automotive Equipment, a copy of which was distributed to members of Council with the Finance Agenda for May 9, 1979, was NOT HELD BECAUSE OF THE LACK OF A QUORUM.

ROLL CALL

Mayor Keyes, Ald. Gerretsen, Ald. Gorham, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller (7).

The Regular Meeting of City Council will be held on Monday, May 28, 1979 in the Council Chamber, City Hall, at 7:00 p.m.

ROLL CALL

MINUTES

That the Minutes of Meeting Nos. 18, 19 & 20 held on May 14, May 14 & May 18, 1979, respectively, be adopted as printed.

PETITIONS

COMMUNICATIONS

Has Been Referred to Planning Board

- (288) From Mrs. Irene Mooney notifying the City of her withdrawal of her objection to By-Law No. 79-30 rezoning 447 Division Street.

To Be Referred to Planning Board

- (289) From Mrs. Irene Mooney expressing her concern as to who will be paying the City's share of the expenses for the revitalization of the downtown area.
- (290) From Edward Phipps-Walker expressing his dissatisfaction to the City's proposal for redevelopment of the blocks northerly from Brock St. east of Wellington St. and Ontario St. extending to the Anglin area. He states that such a plan will be an extremely costly venture and will be resisted by the present owners in this area.

To be Filed

- (291) From J.W. Kealey, Secretary of the City of Kingston Board of Commissioners of Police informing the City that the resolution concerning an application to the Federal Government for subsidy because of extra costs of policing Kingston due to the effects of the penitentiaries in the Kingston area will be presented at the regular meeting of the Commission on June 21st.

Has Been Referred to Downtown Core Committee & Finance Committee

- (292) From Mrs. Irene Mooney indicating that she does not support the proposed programme for downtown revitalization. Her concerns are that the cost will be passed on to the taxpayer and the changes could be detrimental to the tourist trade.

COMMUNICATIONS (Cont'd)

To be Referred to City Treasurer

- (293) From the City of Waterloo requesting that the City endorse their following resolution:

"WHEREAS the 1979 Provincial budget has immediately imposed a 7% retail sales tax to be added to the accounts of T.V. cable subscribers

AND WHEREAS municipalities presently receive 5% of the gross receipts of Bell Canada which is allocated on the basis of the number of telephones located in each municipality

AND WHEREAS numerous attempts by many municipalities, The Association of Municipalities of Ontario, and the Municipal Liaison Committee to have Cable T.V. companies agree to some form of revenue sharing as a payment-in-lieu of taxes have failed

AND WHEREAS municipalities have no legal authority to assess Cable T.V. companies for transmission lines or installations, or assess other charges as a payment-in-lieu of taxes

To be Filed

- (294) From Sister Sheila Brady, Administrator, St. Mary's of the Lake Hospital, thanking the City for its approval for a grant in the amount of \$10,000.00 and for its cheque in the same amount.

COMMITTEE OF THE WHOLE

- (A) That Council resolve itself into a Committee of the Whole to receive delegations and Reports, with Mayor Keyes in the Chair.

DELEGATIONS

1. Mr. Ken Catherwood
(In support of Clause 1, Report No. 57)
2. Mr. Chris Seymour
Canadian Tobacco Manufacturers Council
(Concerning third reading of By-Law No. 13: No. 79-26,
"A By-Law Respecting Smoking in the City of Kingston)

REPORTS

No. 56 - Community Services Committee

That Report No. 56 of the Community Services Committee, as attached, be received and adopted clause by clause.

No. 57 - Transportation Committee

That Report No. 57 of the Transportation Committee, as attached, be received and adopted clause by clause.

No. 58 - Parks and Recreation Committee

That Report No. 58 of the Parks and Recreation Committee, as attached, be received and adopted clause by clause.

No. 59 - Finance and Accounts Committee

That Report No. 59 of the Finance and Accounts Committee, as attached, be received and adopted clause by clause.

No. 60 - Chief Administrative Officer

That Report No. 60 of the C.A.O., as attached, be received and adopted.

May 17, 1979.

To the Mayor and Aldermen:

The Community Services Committee reports and recommends as follows:

1. That, as recommended by the Administrator of Rideaucrest Home For The Aged, and as provided for in the 1979 Budget, Bernard & Associates, Inc., 144 Front Street West, Toronto, Ontario, be contracted to conduct a study of the food service facilities at Rideaucrest Home For The Aged, at an estimated cost of \$3,200 plus non-fee expenses.

(Note: A sum of \$5,000 was included in the 1979 Budget for this purpose. Non-fee expenses are defined by Bernard & Associates as: long-distance telephone, rush delivery, travel expenses and printing of reports)

2. That as recommended by the Fire Chief, a By-Law be presented to amend By-Law No. 7080, "A By-Law Respecting the Fire Department" as follows:

Delete references to "Clerk-Comptroller" and to "Community Services Committee" or its predecessor "Fire Legislation & Housing Committee" and substitute therefor "Chief Administrative Officer".

(See By-Law 7: No. 79-109)

3. That an agreement be entered into with Kingston Interval House for the provision of lodging for persons in need on the following conditions:

- i) That Kingston Interval House agrees to provide lodging for persons in need who are eligible for general welfare assistance;
- ii) That the Social Services Administrator of the City shall determine, in accordance with the regulations, if a person is eligible for such assistance;
- iii) Payment of \$14.00 per diem for each person eligible for assistance, such rate to be subject to the approval of the Ministry of Community and Social Services;
- iv) Provision for a maximum payment of \$32,000 by the City during 1979, if required;
- v) Provision for the term of the agreement to be January 1, 1979 to December 31, 1979, and to continue in force and effect until such time as a new agreement has been executed.

4. That an agreement be entered into between the City of Kingston, Consolidated Computer Inc., and the Ministry of Community and Social Services with respect to the provision of data processing equipment in the Social Services Department, at an estimated cost of approximately \$1,000 per month, it being understood that a sum of \$6,000 has been provided for this purpose in the 1979 budget.

(Note: This will provide data processing of all welfare and subsidy transactions in the Social Services Department, and covers leasing of equipment necessary for this service)

5. That By-Law No. 79-94, "A By-Law to Amend By-Law No. 3, 'A By-Law Respecting Certain Officials of the Corporation (Public Access to Documents'", be amended on third reading to add the following policy with regard to public access to documents:

"Information not yet reported to Council which is required to be published under The Planning Act, shall be made available at public meetings"

(Note: This Clause was referred back to the Committee by Council - see Clause 6(1) Report No. 50).

- and -

"That the charge for photocopies of records shall be fifteen cents (15¢) per page, and for printed copies of By-Laws and other printed matter of The Corporation of the City of Kingston, the charge shall be ten cents (10¢) per page, to a maximum of \$10.00."

(Referred back to the Committee by Council - See Clause 6(5), Report No. 50).

It being understood that there is no charge for members of Council or other City officials for copies of City documents.

(See By-Law 16: No. 79-94)

Respectfully submitted,

CHAIRMAN

To the Mayor and Aldermen:

May 16th, 1979.

The Transportation Committee reports and recommends as follows:

1. That permission be granted to Mr. Kenneth Catherwood to operate a chip truck, to sell only french fries and canned soft drinks, to be located in the old entrance to the Hanson parking garage off Wellington Street, at a yearly rental of \$600., subject to the necessary licences and permits being obtained.

2. That the section of Bagot Street which runs through City Park be closed on Sunday, June 24th, 1979, from 8 a.m. to 3 p.m. for a Jog-a-Thon.

NOTE: It is estimated that 3000 persons will participate. The Jog-a-Thon will start and finish at the Cricket Field.

(See By-Law 8: No. 79-110)

3. That Section 1(b) of By-law 8 (Dog Control) be amended to delete the words "Divison Street" and substitute the words "231 Dalton Avenue" therefor.

NOTE: The animal shelter on Division has been recently relocated to Dalton Street, and this amendment will reflect its new location. Section 1(b) will now read: "Dog Pound" shall mean the animal shelter at 231 Dalton Avenue.

(See By-Law 9: No. 79-111)

4. That a by-law be presented to amend By-law 24 (Traffic) to establish alternate side parking regulations on Kingscourt Avenue from 100 feet north of Concession Street to First Avenue, as follows:

WEST SIDE - No Parking 8 a.m. to 11 p.m. from the 16th day of each month to the end of each month.

EAST SIDE - No Parking 8 a.m. to 11 p.m. from the first day of each month to and including the 15th day of each month.

NOTE: Existing 15 minute parking area would alternate on authorized days.

(See By-Law 1: No. 79-103)

5. That a by-law be presented to amend By-law 24 (Traffic) to establish 15 minute parking on the west side of Rideau Street from Ordnance Street 137 feet southerly to the end of the new apartment complex.

(See By-Law 1: No. 79-103)

6. That a by-law be presented to amend By-law 24 (Traffic), By-law 495 (Parking Meters) and By-law 4489 (Parking Lots) to provide the following:
- a) that 28 parking meters on Princess Street between Macdonnell and Tower Streets be relocated into the expanded Gorsline parking lot;
 - b) that parking be prohibited on Princess St. between Macdonnell and Tower Streets, to be effective from the opening date of the expanded Gorsline parking lot;
 - c) that Tower Street be converted to a two-way street; and
 - d) that parking meter rates be increased to 20¢ per hour on the Gorsline parking lot, to conform with the remainder of parking meters in the City.

(See By-Laws 2, 3 & 4: No. 79-104, 79-105 & 79-106)

7. That the action of the Committee in permitting the Kingston Portuguese Canadian Community to conduct a parade on Saturday, May 26th, 1979 from 8:30 p.m. to 9:45 p.m. from St. Mary's Cathedral, along Johnson Street to Clergy St., to Ordnance, around Sydenham, Balaclava and Alma Streets, along Barrie Street to Johnson Street and back to St. Mary's Cathedral, be ratified, confirmed and approved.

8. That the following resolution of the City of Kitchener, passed on April 17th, 1979, be endorsed:

"WHEREAS when local municipalities were responsible for the assessment function, they found it possible to include an annual dog census with the return of the assessment roll;

AND WHEREAS when the Province of Ontario took jurisdiction in assessment the annual dog census was dropped;

AND WHEREAS local municipalities find it extremely difficult to exercise control and licensing over dogs because of the lack of an annual dog census;

8. (continued)

"AND WHEREAS THE Provincial Assessment Office carries out an annual enumeration of population through the use of part-time personnel;

AND WHEREAS it would require very little additional effort for these persons to also carry out a dog census at the same time, and for the Regional Assessment Office to record and transmit such information to the relevant municipality;

THEREFORE BE IT RESOLVED that the Provincial Minister of Revenue be asked to immediately amend the enumeration system so as to include an annual dog census."

9. That the following resolution of the Public Works Committee, passed at its meeting on April 17th, be endorsed:

"That Shell Canada Ltd. be permitted to erect a paved island with planters in the road allowance at the Benson St. entrance/exit to their Division Street gasoline station, as part of a site up-grading proposal, provided that,

- a) Shell Canada Ltd. assume responsibility for any damages attributed to the curbing, paving or planters and will save the City harmless from any claims in connection therewith.
- b) Shell Canada Limited assume the responsibility to maintain the island and planters in good condition.
- c) The City has the right to require Shell Canada Ltd. to remove same upon eight weeks' notice or, alternatively, carry out such removal at Shell Canada cost.
- d) Drainage can be maintained in a satisfactory manner.

10. That a by-law be presented to amend By-law 24 (Traffic) to establish parking on Earl Street between Bagot and Wellington Streets, as follows:

NORTH SIDE - No Parking from 10-11 a.m. and 2-3 p.m.
Monday to Friday inclusive;
Parking permitted at other times.

SOUTH SIDE - Parking permitted 10-11 a.m. and 2-3 p.m.
Monday to Friday inclusive;
Parking prohibited at all other times.

NOTE: A two-hour parking limit is presently permitted on each side, on alternate days.

-
11. That the sum of \$20,000. be offered to Gaffney Construction Limited in full and complete payment of their claim for reinstallation of a watermain on the Bath Road bridge, such payment to be borne 75% by the Ministry of Transportation and Communications and 25% by the P.U.C. subject to the concurrence of the P.U.C.
 12. That permission be granted to conduct a Canada Week Parade on Saturday, June 23rd, 1979 from 10:00 a.m. to 12 noon, to commence at Victoria Park and travel to City Hall or, in the alternative, to be held on Sunday, June 24th, 1979, commencing at Victoria Park at 1 p.m.
 13. That a by-law be presented to amend By-law 24 (Traffic) to provide that fifteen minute parking be established on University Avenue, from Johnson Street 62 feet northerly, on authorized days only.

(See By-Law 1: No. 79-103)
 14. That M. M. Dillon be authorized to proceed with calling of tenders for the upgrading of Runway 06R-24L at an estimated cost of \$216,000. and if increase in subsidy is not granted by the Ministry of Transportation and Communications, to proceed on the basis of funds available.

NOTE: The above tender call is included under Part B of an Engineering Agreement with M. M. Dillon Limited, Consulting Engineers, as approved by clause 10, Report No. 16, February 13th, 1978, covering the reconstruction of Runway 06R-24L, Norman Rogers Airport.
 15. That the Mayor and Clerk be authorized to execute a Surrender of Lease Agreement with William Craig Coupland regarding a lease agreement dated November 8th, 1976, between William Craig Coupland and the Corporation of the City of Kingston respecting the use of airport land for agricultural purposes.

16. That a by-law be presented to Council to authorize the construction of the widening of Division Street between Raglan Road and Main Street by five feet on the east side, in conjunction with the sidewalk reconstruction which is included in the 1979 Sidewalk Reconstruction By-law. The estimated cost of widening is as follows:

Total Cost	\$18,700.00
M.T.C. Share	<u>7,774.35</u>
City's Share	\$10,925.65

And further, that the 1979 Capital Budget be amended as follows:

<u>Transportation Department</u>	<u>Increase</u>	<u>Decrease</u>
Widening - Division St.	\$10,925.65	
Widening - Princess St. (360' west of Sir John A. Macdonald Blvd. to 300' east of Portsmouth Ave.)		\$10,925.65

(See By-Law 5: No. 79-107)

Respectfully submitted,

Chairman.

May 17, 1979

To the Mayor and Aldermen

The Parks and Recreation Committee recommends
as follows -

1. That the account of J.D.Lee Engineering Ltd., in the amount of \$4232.70, for professional services rendered to April 30, 1979 in preparing drawings, specifications and tender documents for renovations to the Wally Elmer Youth Centre, be paid and the expenditure charged to Work In Progress - Wally Elmer Youth Centre.

2. That notwithstanding the provisions of By-law No. 21 - A By-law fixing the rental to be charged for Memorial Hall, Committee Rooms and Council Chamber - the Friends of Chamber Music Inc., be permitted to use Memorial Hall at no charge on the evening of July 6, 1979 for the purpose of presenting a free public musical program.

(See By-Law 10 : No. 79-112)

3. That notwithstanding the provisions of By-law No. 19 - A By-law to provide for the regulation use of Parks and Recreational Facilities of the Corporation - the Owners of the twelve boats entered in the Annual Great Steamboat Race be permitted to berth their boats in the Confederation Basin Marina at no charge from June 29 to July 1, 1979.

(See By-Law 11 : No. 79-113)

4. That notwithstanding the provisions of By-law No. 19 - A By-law to provide for the regulation use of Parks and Recreational facilities of the Corporation - vehicles be allowed to be parked on the City Park road during the period of the Lake Yacht Racing Association's Annual Regatta from August 6 to 10, 1979.

(See By-Law 11 : No. 79-113)

5. That notwithstanding the provisions of By-law No. 19 - A By-law to provide for the regulation use of Parks and Recreational facilities of the Corporation - vehicles be allowed to be parked on the City Park road during the period of the CORK Regatta from August 25 to 31, 1979.

(See By-Law 11: No. 79-113)

6. That the tender for earth fill, clean earth fill and top soil be awarded, in part, as follows -

Earth Fill

2000 cy (more or less) to D.A.Foley Ltd at \$1.74 per cy being the lowest tender received.

Note The above price is subject to an additional charge of \$1.00 per cy during half load limit.

Clean Earth Fill

12,000 cy (more or less) to J.Harrison at \$1.80 per cy being the lowest tender received.

Top Soil (screened)

3000 cy (more or less) to Joyceville Sand and Gravel at \$3.95 per cy being the lowest acceptable tender received.

Note The top soil offered by the two lower tenderers was found to be unsatisfactory.

7. That, as recommended by the Ice Rate Study Committee, Schedule "C" (Schedule of Rates for Rental of Facilities in Youth Centres) of By-law No. 19 - A By-law to provide for the regulation use of Parks and Recreational facilities of the Corporation - be amended to increase the ice rental rates at the Elmer and Cook Youth Centres as follows -

<u>Ice Time For</u>	<u>Existing rates</u>	<u>Proposed rates Fall - 1979</u>	<u>Proposed rates January 1, 1979</u>
<u>Minors</u>			
Except tournaments	\$18.00		
6 am to 3 pm Monday to Friday (holidays excepted)	\$12.00		
Prime Time		\$23.00#	\$25.00#
Off hours		\$15.00#	\$18.00#
<u>Adults</u>			
6 am to 3 pm Monday to Friday (holidays excepted)	\$12.00		
Other times	\$25.00		
Prime Time		\$28.00#	\$30.00#
Off Hours		\$15.00#	\$18.00#

May 17, 1979

7. (Cont'd)

= Each year thereafter the rates will be adjusted up or down according to the Consumer Price Index and/or Cost of Living.

Note

The increased rental rates at the Elmer Youth Centre will not become effective until the renovations are complete and an ice surface machine is in operation.

(See By-Law 11: No. 79-113)

Respectfully submitted,

Chairman

That as recommended by the C.A.O. and the Parks and Recreation Commissioner the following Clause 8 be presented to Council:

8. That, subject to the concurrence of the City of Kingston Planning Board, an application for a fill permit be authorized to be made to the Cataraqui Region Conservation Authority for placing fill on the City's Parkland on Orchard Street in connection with the Rowing-Canoe Club Construction Project.

4. That, as recommended by the Commissioner of Works, the Agreement between the City of Kingston and the Township of Pittsburgh, dated 10th June, 1974, amended 17th September, 1974, which Agreement covers the reception, treatment and disposal of sanitary sewage from the Township, be further amended to allow for an average daily flow of 400,000 gallons with a peak flow not to exceed 1.1 million gallons.

(Note: The present agreement provides for an average daily flow of 140,000 gallons per day)

5. That a by-law be presented to Council to authorize the reconstruction of concrete sidewalks on the streets listed on the attached Schedule 'A' at a total estimated cost of \$85,807.00 less anticipated M.T.C. subsidy of \$9,107.00 as a charge to the general tax rate, provision for this expenditure having been made in the 1979 Capital Budget.

(See By-Law 6: No. 79-109)

6. That, as recommended by the Commissioner of Works, upon receiving sufficiently signed petitions for the construction of sidewalks as listed on Schedule 'B' attached hereto or reconstruction of sidewalks listed on Schedule 'C' attached hereto, by-laws are to be presented to Council for the works; or if sufficient petitions for the works are not received, Council will consider recommendations from the Commissioner of Works to proceed with the work under the provisions of Section 8 of The Local Improvement Act.

7. That the tender of Donald A. Foley Limited in the corrected amount of \$542,972.44 for the construction and reconstruction of roads, storm sewers and watermains in various streets be accepted, being the lowest tender received, subject to receiving the approval of the Ministry of Transportation and Communications and the Public Utilities Commission, and on the understanding that no work will commence on the Victoria Street projects until the Construction By-Law for the Victoria Street projects has been amended to increase the amount of funds required and O.M.B. approval obtained (Contract No. 79-2W)

8. That no action be taken on the following resolution received from the Town of Tecumseh:

"WHEREAS it appears many individuals who lack business understanding are being taken advantage of by unscrupulous dealers in the Real Estate Field;

8. (Cont'd)

AND WHEREAS many senior citizens are widowed and alone when they are approached by Real Estate dealers;

AND WHEREAS senior citizens and the public are urged and many times talked into signing documents without benefit of proper advice;

AND WHEREAS most individuals especially senior citizens who sign agreements of purchase and sale, do not seek legal advice before signing;

THEREFORE BE IT RESOLVED that the Town of Tecumseh petition of the Attorney General of Ontario to pass the necessary legislation requiring a 48 hour "cooling-off" period during which individuals who have signed an agreement of purchase and sale be allowed to cancel the said agreement similar to that provided under the Consumer Protection Act of Ontario".

9. That, as recommended by the Chief Administrative Officer, the multi-year budget forecast, attached hereto as Schedule 'D', be approved and adopted for the years 1980 to 1984.

10. That, when the City's share of the total costs, including development and maintenance, related to the Lemoine Point Conservation Area, reach \$15,000, the matter of the City's contribution to the Lemoine Point Conservation Area be reviewed by Council.

(Ald. Tarnowecky opposed)

11. That, in recognition of the generous donation made by the Davies family towards the renovation of the Grand Theatre, the upstairs lounge in the renovated Theatre be named the "Davies Lounge".

12. WHEREAS on April 9, 1979, Council resolved to amend the agreement between the City of Kingston and Bob Martin Construction Co. Ltd., with respect to the sale of land located at Queen Mary Road extended and Bath Road; subject to certain conditions; and

WHEREAS it was a condition of such agreement that appraisal be undertaken to establish that the second parcel of land was of sufficient value to receive the indebtedness; and

WHEREAS appraisal has now established that the value of Parcel 2 is approximately \$262,000; and

12. (Cont'd)

WHEREAS the total of the indebtedness to the City is \$251,000;

THEREFORE BE IT RESOLVED THAT development be allowed to proceed according to the aforementioned agreement; and

BE IT FURTHER RESOLVED that with respect to residential development by Bob Martin Construction Co. Ltd. at Queen Mary Road (extended) and Bath Road, the provision of 5% of the land for parklands NOT be required.

Respectfully submitted,

CHAIRMAN

PROPOSED GENERAL RATE SIDEWALK RECONSTRUCTION FOR 1979

SCHEDULE 'A'

MAY 9, 1979

STREET	SIDE	TYPE	FROM	TO	WIDTH (meters) EXIST. PROP.	COST
(1) Johnson Street	S	B	King Street	Easterly 12.8 m.	1.82 1.5	\$ 1,140.00
Thomas Street	S	B	Patrick Street	Westerly 62.78 m.	-- 1.5	\$ 4,000.00
L. Albert Street	E	A	Queen's Crescent	Northerly 52.58 m.	1.52 1.5	\$ 3,400.00
O'Kill Street	N	A	6.70 m. E. of George St.	Barrie Street	1.22 1.5	\$ 5,212.00
Wellington Street	W	A	7.31 m. S. of Earl St.	Gore St.	2.13 2.13	\$7,255.00
William Street	S	A	King Street	Wellington Street	2.13 2.13	\$ 9,636.00
Alfred Street	E	A	Carleton Street	Northerly 158.191 m.	1.37 1.5	\$ 8,398.00
(2) Division Street	E	A	Raglan Rd.	Main Street	1.5 1.5	\$ 8,600.00
Clergy Street	N	A	Barrie Street	Division Street	1.37 1.5	\$ 9,721.00
Grey Street	W	A	4.26 m. N. of Concession St.	Northerly 20.422 m.	1.37 1.5	\$ 1,149.00
Grey Street	W	A	56.08 m. N. of Concession St.	Northerly 6.40 m	1.37 1.5	\$ 402.00
Mack Street	N	A	Victoria Street	Westerly 26,212 m.	1.37 1.5	\$ 1,474.00
William Street	S	A	C.F. of Barrie St.	Easterly 37.50 m.	1.5 1.5	\$ 2,503.00
College Street	E	A	5.9 m. S. of Park St.	Southerly 164.8 m.	1.22 1.5	\$ 8,550.00

STREET	SIDE	TYPE	FROM	TO	WIDTH (meters) EXIST. PROP.	COST
Montreal Street	E	A	John Street	Charles Street	1.5 1.5	\$7,372.00
Carruthers Street	N	A	Palace Rd.	Westdale Ave.	1.22 1.5	\$5,812.00
Palace Road	E	A	7.6 m. N. of Carruthers St.	Northerly 21,031 m.	1.22 1.5	\$1,183.00

Cost \$85,807.00

Anticipated M.T.C. Subsidy ~\$ 9,107.00

\$76,700.00

(1) Including curb and boulevard

(2) If walk relocated to widen road this cost would be additional funding not provided in Public Works budget.

Schedule "B"

May 9, 1979

Proposed 1979 Local Improvement Sidewalk Construction

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>	<u>Width in meters</u>	<u>Estimated cost</u>	<u>Origin</u>
Bath	N	CNR westerly	Bridge	1.5	\$ 9,450.00	Transportation Committee
Portsmouth	E	Princess	southerly 60.35m	1.5	\$ 5,000.00	Transportation Committee
Indian	W	Glengarry	McMichael	1.5	\$17,500.00	Owners request petition
Thomas	S	Cowdy	easterly 84.5m	1.5	\$ 6,050.00	Owners request petition

PROPOSED LOCAL IMPROVEMENTS SIDEWALK RECONSTRUCTION FOR 1979

SCHEDULE 'C'

MAY 9, 1979

STREET	SIDE	TYPE	FROM	TO	WIDTH EXIST (meters)	PROP. WIDTH	COST
Ontario Street	W	A	William St.	Northerly 23.45 m.	2.6	2.0	\$ 2,500.00
William Street	N	B	King St.	Easterly 9.29 m.	1.52	1.5	\$ 1,350.00
King Street	E	B	William St.	Northerly 7.46 m.	1.52	1.5	}
Princess Street	N	A	Ontario St.	Easterly 40.11 m.	1.88	1.88	
Brock Street	N	A	Ontario St.	Easterly 37.79 m.	2.44	1.82 & 3.05	\$ 4,400.00
Brock Street	N	A	Napier St.	Easterly 120.24 m.	1.37	1.5	\$ 8,122.00
Grey Street	W	A	23.62 m. N. of Concession St.	Northerly 30.48 m.	1.37	1.5	\$ 2,115.00
Wellington Street	E	B	1.52 m. N. of Queen St.	Northerly 56.44 m.	1.95	1.95	\$ 4,525.00
Brock Street	N	A	King St.	Easterly 12.95 m.	2.9	2.9	\$ 1,340.00
Ontario Street	E	A	46.23 m. S. of Barrack St.	Southerly 20.24 m.	1.82	1.82	\$ 1,560.00
Barrack Street	N	A	Bagot St.	Easterly 77.72 m.	1.52	1.5	\$ 5,100.00
Bagot Street	E	A	Barrack St.	Northerly 27.89 m.	1.52	1.5	\$ 1,705.00
Princess Street	N	B	24.33 m. W. of Alfred St.	Westerly 36.42 m.	1.52	1.5	\$ 2,283.00

TOTALS
\$38,200.00
- \$ 1,500.00
M.T.C. Subsidy
\$36,700.00

CATARAQUI REGION CONSERVATION AUTHORITY
MULTI-YEAR BUDGET FORECAST - 1980 - 84 INCLUSIVE

1980

Former Beaufort Property North of Bath Road, East of Little Cataraqui Creek -	
15 acres of hard land	\$15,000.
10 acres hazard lands	2,500.

John L. Smith Property North of Pine Woods East of Little Cataraqui Creek	
33 acres wet land	7,000.
42 acres wet land	8,500.

Auld St. Subdivision	25,000.
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Feasibility Study - Development of a natural man assisted public beach, west and north of the base of the Ski Hill.	
	<u>5,000.</u>
	<u>\$63,000.</u>

1981

Little Cataraqui Creek Area between Princess & Counter Streets	
75 acres - wet lands	\$15,000.

Auld St. Subdivision	<u>25,000.</u>
	<u>\$40,000.</u>

1982

Little Cataraqui Creek Area North of Counter Street -	
75 Acres - wet lands	\$15,000. ✓

Auld St. Subdivision	<u>25,000.</u>
	<u>\$40,000.</u>

1983

Great Cataraqui River Marshlands	\$15,000.
----------------------------------	-----------

Auld St. Subdivision	<u>25,000.</u>
	<u>\$40,000.</u>

1984

Great Cataraqui River Marshlands	\$15,000.
----------------------------------	-----------

Auld St. Subdivision	<u>25,000.</u>
	<u>\$40,000.</u>



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 19-7

May 25, 1979

M E M O R A N D U M

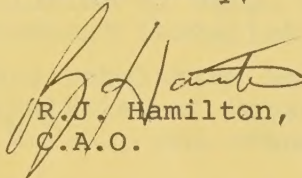
TO: Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: Resolution - City of Woodstock
Water Saving Toilets

That, since it is believed 3.5 gallons per flush should be the minimum allowed and which would depend on the size of drains and the percentage figure of grade they were installed at, the resolution of the City of Woodstock be NOT endorsed.

Yours truly,


R.J. Hamilton,
C.A.O.

RJH/sd

CORPORATION OF THE



CITY OF WOODSTOCK

APR 10 1979

CITY HALL
P.O. BOX 40
WOODSTOCK, ONT.
N4S 7W5

April 9th, 1979.

APR 23 1979
APR 23 1979

Mr. T.J. McKibbin, Clerk,
City of Kingston,
City Hall,
Kingston, Ontario.

Dear Sir or Madam:

At a recent meeting of the Woodstock City Council on April 5th, 1979, the following resolution was adopted in connection with water saving toilets.

"WHEREAS water conservation is of increasing concern,
AND WHEREAS the present flush toilet uses approximately 4 to 5 gallons of water per flush,

AND WHEREAS this consumption could be reduced significantly by the use of water conserving toilets which on the average only require approximately two and one-half gallons of water per flush,

THEREFORE BE IT RESOLVED that the Ministry of Consumer and Commercial Relations be petitioned to amend The Building Code to require the installation of water conserving toilets in all new and replacement installations,

BE IT FURTHER RESOLVED that this resolution be circulated to the Association of Municipalities of Ontario for consideration, Dr. H. Parrott, M.P.P., and other municipalities for their support."

Could you place this resolution before your Council with the request they consider endorsing?

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'J. McGinnis'.

J. McGinnis,
Deputy Clerk.

JM/dw

MAY 14 1979



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Chief Building Official.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

M E M O R A N D U M

TO: Mr. R. Hamilton
FROM: R. B. Ruttan
DATE: 11th May, 1979
RE: Resolution, City of Woodstock

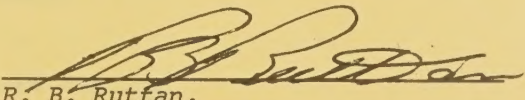
It is my opinion that this resolution should not be adopted at this time until further information is received.

Engineering studies are presently being conducted in Canada and the United States to determine the reduced flow capacities in building drains and sewer collection systems. It has been established at this time that the recommended 3.5 gallons per flush should be the minimum allowed, of course this would depend on the size of the drains and the percentage figure of grade they were installed at.

If the drains were laid at a lower grade than two-percent, problems could occur and maintenance costs of sewers increase.

In summary, it is apparent that not enough is known about the use of water-saving water closets.

Theoretical indications are that utilization of water-saving closets should not cause problems in the building of drains and sewage collection systems.


R. B. Ruttan,
Chief Building Official.

COMMITTEE OF THE WHOLE (Cont'd)

- (B) That Council Rise from the Committee of the Whole and the Chairman Report.

REPORT OF THE COMMITTEE OF THE WHOLE

- (C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

UNFINISHED BUSINESS

MOTIONS

- (1) Moved by Ald. Webb,
Seconded by Ald. Matthews,

That the matter of the development of a community size shopping centre in the approximately 36 acre site on the east side of Division, between Weller and Benson Streets, (Clause 1, Report No. 36, 1979) be reopened.

(Note: An Affirmative vote of two-thirds of the members of Council who are present at the meeting is required under Section 27 of By-Law No. 1 to carry this motion of reconsideration).

- (2) Moved by Ald. Webb,
Seconded by Ald. McArthur,

That the congratulations of Council be extended to Miss Flora MacDonald, M.P., on her re-election.

BY-LAWS

- (A) That By-Laws 1 to 12 be given their First & Second Readings.
- (B) That Rule No. 35 of By-Law 1 be suspended for the Purpose of Giving By-Laws 7 to 12 their Third Reading.
- (C) That By-Laws 7 to 17 be given their Third Reading.

BY-LAWS (Cont'd)

- (1) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act." (Clauses 4, 5, 10, & 13 Report No. 57)

(FIRST & SECOND READINGS)

(Proposed No. 79-103)

Clauses 4, 5 10, & 13, Report No. 57, 1979

(Note: Ministry of Transportation and Communications approval NOT required.)

- (2) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act." (Clause 6, Report No. 57).

(FIRST & SECOND READINGS)

(Proposed No. 79-104)

Clause 6, Report No. 57, 1979

(Note: Ministry of Transportation and Communications approval REQUIRED.)

- (3) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of such Parking Meters". (Clause 6, Report No. 57).

(FIRST & SECOND READINGS)

(Proposed No. 79-105)

Clause 6, Report No. 57, 1979

- (4) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, Supervise and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots." (Meter Rate: Gorsline Parking Lot)

(FIRST & SECOND READINGS)

(Proposed No. 79-106)

Clause 6, Report No. 57, 1979

- (5) A By-Law to Authorize the Construction of Widening the Asphalt Pavement by 1.5 Meters on the East Side of Division Street from Raglan Road to Main Street (General Rate).

(FIRST & SECOND READINGS)

(Proposed No. 79-107)

Clause 16, Report No. 57, 1979

- (6) A By-Law to Authorize the Reconstruction of Certain Concrete Sidewalks (General Rate).

(FIRST & SECOND READINGS)

(Proposed No. 79-108)

Clause 5, Report No. 59, 1979

- (7) A By-Law to Amend By-Law No. 7080, "A By-Law Respecting the Fire Department" (Committee of the Whole Revision)

(THREE READINGS)

(Proposed No. 79-109)

Clause 2, Report No. 56, 1979

BY-LAWS (Cont'd)

- (8) A By-Law to Close Bagot Street from Barrie Street to West Street to Vehicular Traffic on Sunday, June 24, 1979, from 8 a.m. to 3 p.m. for community purposes.

(THREE READINGS)

(Proposed No. 79-110)

Clause 2, Report No. 57, 1979

- (9) A By-Law to Amend By-Law No. 8, "A By-Law to Provide for the Licensing and Regulation of Dogs and Cats and for the Control of Animals Suspected of Having Rabies" (Revise Location of Dog Pound to 231 Dalton Avenue).

(THREE READINGS)

(Proposed No. 79-111)

Clause 3, Report No. 57, 1979

- (10) A By-Law to Amend By-Law No. 21, "A By-Law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber" (Clause 2, Report No. 58).

(THREE READINGS)

(Proposed No. 79-112)

Clause 2, Report No. 58, 1979

- (11) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation." (Certain Temporary Exceptions to Regulations and Revised Ice Rental Rates).

(THREE READINGS)

(Proposed No. 79-113)

Clauses 3, 4, 5 & 7, Report No. 58, 1979

- (12) A By-Law to Confirm the Proceedings of Council at its Meeting Held May 28, 1979.

(THREE READINGS)

(Proposed No. 79-114)

City Council Meeting No. 21, 1979

- (13) A By-Law Respecting Smoking in The City of Kingston.

(THIRD READING)

(Proposed No. 79-26)

*Clause 4, Report No. 23, 1979 and
Clause 2, Report No. 50, 1979*

- (14) A By-Law to Change the Name of the Highway Known as "Green Drive" in The City of Kingston to "Greenview Drive".

(THIRD READING)

(Proposed No. 79-81)

Clause 10, Report No. 44, 1979

- (15) A By-Law to License, Regulate and Govern Trailer Camps and to Licence Trailers in the City of Kingston and to Repeal By-Law No. 1023.

(THIRD READING)

(Proposed No. 79-93)

Clause 5, Report No. 50, 1979

BY-LAWS (Cont'd)

- (16) A By-Law to Amend By-Law No. 3, "A By-Law Respecting Certain Officials of the Corporation" (Public Access to Documents).

(THIRD READING)

(Proposed No. 79-94)

Clause 6, Report No. 50, 1979 and

Clause 5, Report No. 56, 1979

- (17) A By-Law to designate the area bounded by Princess, Ontario and Wellington Streets and the Great Cataraqui River and the block bounded by Princess, Ontario, Brock and King Streets as a Redevelopment Area under Section 22 of the Planning Act.

(THIRD READING)

(Proposed No. 79-96)

Clause 1, Report No. 54

ADJOURNMENT



JUL 12 1979

Local Govt.

CITY COUNCIL MEETING NO. 21

The Regular Meeting of City Council was held on Monday, May 28, 1979 in the Council Chamber, City Hall, at 7:00 p.m. His Worship Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (15)

MINUTES

Moved by Ald. Webb,
Seconded by Ald. Bishop,

That the Minutes of Meeting Nos. 18, 19 & 20 held on May 14, May 14 & May 18, 1979, respectively, be adopted as printed.

CARRIED

PETITIONS

- (1) A petition was presented by Ald. Lampropoulos containing approximately 300 signatures which reads as follows:

"As no substantial investment other than the price of a "chip truck" and a \$600 leasing fee for use of prime downtown street frontage, which does not compare with the relative heavy investments, made by other food service people in the area

and

As existing food service outlets are paying substantial taxes to the Corporation of the City of Kingston, it does not seem fair for the City to be connected with, and contribute to, a competitive food service outlet

and

As the esthetic value would not be enhanced by the existance of this "chip truck" and possible health hazards created, we the undersigned wish to file our objections to the entire situation."

CARRIED

- (2) Ald. Miller presented a petition containing approximately 15 signatures which formed part of a previous petition presented to Council on April 9, 1979 requesting the City of Kingston to place a moratorium on all further substantial additions to Zone A Housing Units.

REFERRED TO KINGSTON PLANNING BOARD

COMMUNICATIONS

Council consented to the addition of Communications 295 to 300.

Referred to Planning Board

- (288) From Mrs. Irene Mooney notifying the City of her withdrawal of her objection to By-Law No. 79-30 rezoning 447 Division Street.

Referred to Planning Board

- (289) From Mrs. Irene Mooney expressing her concern as to who will be paying the City's share of the expenses for the revitalization of the downtown area.
- (290) From Edward Phipps-Walker expressing his dissatisfaction to the City's proposal for redevelopment of the blocks northerly from Brock St. east of Wellington St. and Ontario St. extending to the Anglin area. He states that such a plan will be an extremely costly venture and will be resisted by the present owners in this area.

Filed

- (291) From J.W. Kealey, Secretary of the City of Kingston Board of Commissioners of Police informing the City that the resolution concerning an application to the Federal Government for subsidy because of extra costs of policing Kingston due to the effects of the penitentiaries in the Kingston area will be presented at the regular meeting of the Commission on June 21st.

Referred to Downtown Core Committee & Finance Committee

- (292) From Mrs. Irene Mooney indicating that she does not support the proposed programme for downtown revitalization. Her concerns are that the cost will be passed on to the taxpayer and the changes could be detrimental to the tourist trade.

Referred to City Treasurer

- (293) From the City of Waterloo requesting that the City endorse their following resolution:

"WHEREAS the 1979 Provincial budget has immediately imposed a 7% retail sales tax to be added to the accounts of T.V. cable subscribers

AND WHEREAS municipalities presently receive 5% of the gross receipts of Bell Canada which is allocated on the basis of the number of telephones located in each municipality

AND WHEREAS numerous attempts by many municipalities, The Association of Municipalities of Ontario, and the Municipal Liaison Committee to have Cable T.V. companies agree to some form of revenue sharing as a payment-in-lieu of taxes have failed

AND WHEREAS municipalities have no legal authority to assess Cable T.V. companies for transmission lines or installations, or assess other charges as a payment-in-lieu of taxes

COMMUNICATIONS (Cont'd)

Filed

- (294) From Sister Sheila Brady, Administrator, St. Mary's of the Lake Hospital, thanking the City for its approval for a grant in the amount of \$10,000.00 and for its cheque in the same amount.

Referred to the City Solicitor

- (295) From the Ontario Municipal Board informing the City that there will be a Hearing on June 20, 1979 at 10:00 a.m. at City Hall for the hearing of all persons who desire to be heard in support of or in opposition of the appeal of the City of Kingston of the decision of the Committee of Adjustment dated February 9, 1979 granting a variance to Marathon Realty Company Limited to construct an office warehouse building at 6 Cataraqui Street. (File No. 3-12).

Filed

- (296) Copy of letter to Howard Johnson's Confederation Place Hotel from the Liquor Licence Board of Ontario acknowledging receipt of revised plans for a new service bar installation to Howard Johnson's Confederation Place Hotel, Kingston. (File No. 12-6).
- (297) Copy of letter to Howard Johnson's Confederation Place Hotel from the Liquor Licence Board of Ontario acknowledging receipt of plans for application for patio (lounge) licence at Howard Johnson's Confederation Place Hotel, Kingston. (File No. 12-6).
- (298) From the Liquor Licence Board of Ontario notifying of receipt of an application for a liquor licence to Seto's Chop Suey House Restaurant, 455 Princess Street, Kingston, for a Dining Lounge (File No. 12-6).
- (299) From the Hon. Keith C. Norton, M.P.P. Kingston and the Islands, thanking the City for its copy of Council's recent letter to Mr. David Warner, M.P.P. supporting Bill 185, "The Pits and Quarries Control Amendment Act, 1978", it being noted that the purpose of this Bill is to authorize the Minister of Natural Resources to direct that a pit or quarry be graded or filled in when it constitutes a danger to the public and is no longer in operation in order to ensure public safety and further that new legislation containing provisions to deal with rehabilitation of abandoned pit and quarry sites is presently being drafted. (File No. 13-6.1).
- (300) From Mr. Ken Catherwood notifying that he had decided not to proceed with the proposal to rent land from the City for the purpose of operating a French Fry Truck at this time and requesting that Clause 1, Report No. 57 concerning the matter be withdrawn.

COMMITTEE OF THE WHOLE

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That Council resolve itself into a Committee of the Whole to receive delegations and Reports, with Mayor Keyes in the Chair.

CARRIED

- (B) Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That Council Rise from the Committee of the Whole and the Chairman Report.

CARRIED

Mayor Keyes reported that the following delegation and reports were considered in the Committee of the Whole:

DELEGATIONS

- (1) A letter was received from Mr. Ken Catherwood withdrawing his request to appear and requesting that Clause 1, Report No. 57 be withdrawn.

(See Communication No. 300)

- (2) Mr. Chris Seymour, Canadian Tobacco Manufacturing Council spoke in opposition to the third reading of Bylaw No. 13: No. 79-26, "A Bylaw Respecting Smoking in The City of Kingston."

Mr. Seymour presented a petition containing approximately 715 signatures which reads as follows:

"The undersigned believe that the proposed bylaw for the segregation of smokers and non-smokers in public places, which provides a penalty for smoking in public places such as restaurants, offices, stores, theatres and other public facilities, is an unwarranted restriction on personal freedom and should not be passed."

Ald. Gorham withdrew at 7:25 p.m.

REPORTS

Ald. Gerretsen presented Report No. 56 of the Community Services Committee as follows:

Council consented to the addition of the words "and Committee of the Whole" at the end of Clause 2.

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Report No. 56 of the Community Services Committee be received and adopted clause by clause.

REPORTS (Cont'd)

REPORT NO. 56

May 17, 1979.

To the Mayor and Aldermen:

The Community Services Committee reports and recommends as follows:

1. That, as recommended by the Administrator of Rideaucrest Home For The Aged, and as provided for in the 1979 Budget, Bernard & Associates, Inc., 144 Front Street West, Toronto, Ontario, be contracted to conduct a study of the food service facilities at Rideaucrest Home For The Aged, at an estimated cost of \$3,200 plus non-fee expenses.

(Note: A sum of \$5,000 was included in the 1979 Budget for this purpose. Non-fee expenses are defined by Bernard & Associates as: long-distance telephone, rush delivery, travel expenses and printing of reports)

CARRIED

2. That as recommended by the Fire Chief, a By-Law be presented to amend By-Law No. 7080, "A By-Law Respecting the Fire Department" as follows:

Delete references to "Clerk-Comptroller" and to "Community Services Committee" or its predecessor "Fire Legislation & Housing Committee" and substitute therefor "Chief Administrative Officer" and "Committee of the Whole."

CARRIED AS AMENDED

(See By-Law 7: No. 79-109)

Ald. Gorham returned at 7:35 p.m.

REPORTS (Cont'd)

Report No. 56 - Community Services Committee

3. That an agreement be entered into with Kingston Interval House for the provision of lodging for persons in need on the following conditions:

- i) That Kingston Interval House agrees to provide lodging for persons in need who are eligible for general welfare assistance;
- ii) That the Social Services Administrator of the City shall determine, in accordance with the regulations, if a person is eligible for such assistance;
- iii) Payment of \$14.00 per diem for each person eligible for assistance, such rate to be subject to the approval of the Ministry of Community and Social Services;
- iv) Provision for a maximum payment of \$32,000 by the City during 1979, if required;
- v) Provision for the term of the agreement to be January 1, 1979 to December 31, 1979, and to continue in force and effect until such time as a new agreement has been executed.

CARRIED

4. That an agreement be entered into between the City of Kingston, Consolidated Computer Inc., and the Ministry of Community and Social Services with respect to the provision of data processing equipment in the Social Services Department, at an estimated cost of approximately \$1,000 per month, it being understood that a sum of \$6,000 has been provided for this purpose in the 1979 budget.

(Note: This will provide data processing of all welfare and subsidy transactions in the Social Services Department, and covers leasing of equipment necessary for this service)

CARRIED

Ald. Clements withdrew at 7:55 p.m.

REPORTS (Cont'd)

Report No. 56 - Community Services Committee

5. That By-Law No. 79-94, "A By-Law to Amend By-Law No. 3, 'A By-Law Respecting Certain Officials of the Corporation (Public Access to Documents'", be amended on third reading to add the following policy with regard to public access to documents:

"Documents relevant to the topics being discussed at the public meeting be made available to the Public (during City Hall working hours) before the public meeting. This includes, for example, copies of Official Plan and Zoning By-laws, Planning Staff Reports and plans to be presented at the Public Meeting."

- and -

"That the charge for photocopies of records shall be fifteen cents (15¢) per page, and for printed copies of By-Laws and other printed matter of The Corporation of the City of Kingston, the charge shall be ten cents (10¢) per page, to a maximum of \$10.00."

(Referred back to the Committee by Council - See Clause 6(5), Report No. 50).

It being understood that there is no charge for members of Council or other City officials for copies of City documents.

(See By-Law 16: No. 79-94)

CARRIED AS AMENDED

(See following Motion of Amendment)

Moved by Ald. Miller,
Seconded by Ald. Timmins,

That Clause 5, Report No. 56 be amended to delete the following:

"Information not yet reported to Council which is required to be published under The Planning Act, shall be made available at Public Meetings..

(Note: This Clause was referred back to the Committee by Council - see Clause 6(1) Report No. 50)."

and substitute in lieu thereof the following:

"Documents relevant to the topics being discussed at the public meeting be made available to the Public (during City Hall working hours) before the public meeting. This includes, for example, copies of Official Plan and Zoning By-laws, Planning Staff Reports, and plans to be presented at the Public Meeting.

CARRIED

Respectfully submitted,

(Signed) J. Gerretsen (Chairman)
J. Hawkins
Bill Bishop
W. Knapp
G. Webb

REPORTS (Cont'd)

Report No. 57 - Transportation Committee

Ald. Tarnowecy presented Report No. 57 of the Transportation Committee as follows:

Consent was given to the withdrawal of Clause 1, Report No. 57, as requested by Mr. Kenneth Catherwood.

Ald. Clements returned at 7:57 p.m.

Moved by Ald. Tarnowecy,
Seconded by Ald. Miller,

That Report No. 57 of the Transportation Committee be received and adopted clause by clause.

REPORT NO. 57

To the Mayor and Aldermen:

May 16th, 1979.

The Transportation Committee reports and recommends as follows:

1. That permission be granted to Mr. Kenneth Catherwood to operate a chip truck, to sell only french fries and canned soft drinks, to be located in the old entrance to the Hanson parking garage off Wellington Street, at a yearly rental of \$600., subject to the necessary licences and permits being obtained.

WITHDRAWN

2. That the section of Bagot Street which runs through City Park be closed on Sunday, June 24th, 1979, from 8 a.m. to 3 p.m. for a Jog-a-Thon.

NOTE: It is estimated that 3000 persons will participate. The Jog-a-Thon will start and finish at the Cricket Field.

(See By-Law 8: No. 79-110)

CARRIED

3. That Section 1(b) of By-law 8 (Dog Control) be amended to delete the words "Divison Street" and substitute the words "231 Dalton Avenue" therefor.

NOTE: The animal shelter on Division has been recently relocated to Dalton Street, and this amendment will reflect its new location. Section 1(b) will now read: "Dog Pound" shall mean the animal shelter at 231 Dalton Avenue.

REPORTS (Cont'd)

Report No. 57 - Transportation Committee

6. (Cont'd)

Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Subsection (d) of Clause 6, Report No. 57 be amended to provide that the parking meter rates remain at 10¢ per hour for the whole Gorsline parking lot.

LOST 3:12

(See Following Notice of Motion
which is also listed in "Notice
of Motion" Section)

Moved by Ald. Knapp,
Seconded by Ald. Miller, ---

That By-law No. 24 be amended to provide:

- (A) That residents on one and two family residential streets be exempt from "no parking" restrictions on their own block of a street;
- (B) That for purposes of identification, and to prevent abuse, residents be issued ONE residency sticker at a cost to be determined by the appropriate City Department (to cover printing and labour costs;
- (C) That they be allowed to apply for a SECOND sticker for an additional surcharge;
- (D) Further that this residency sticker expire simultaneously with the introduction of winter parking restrictions;
- (E) Further that application for these stickers be done annually.

REFERRED TO TRAFFIC & STREETS ADMINISTRATOR

- 7. That the action of the Committee in permitting the Kingston Portuguese Canadian Community to conduct a parade on Saturday, May 26th, 1979 from 8:30 p.m. to 9:45 p.m. from St. Mary's Cathedral, along Johnson Street to Clergy St., to Ordnance, around Sydenham, Balaclava and Alma Streets, along Barrie Street to Johnson Street and back to St. Mary's Cathedral, be ratified, confirmed and approved.

CARRIED

REPORTS (Cont'd)

Report No. 57 - Transportation Committee

4. That a by-law be presented to amend By-law 24 (Traffic) to establish alternate side parking regulations on Kingscourt Avenue from 100 feet north of Concession Street to First Avenue, as follows:

WEST SIDE - No Parking 8 a.m. to 11 p.m. from the 16th day of each month to the end of each month.

EAST SIDE - No Parking 8 a.m. to 11 p.m. from the first day of each month to and including the 15th day of each month.

NOTE: Existing 15 minute parking area would alternate on authorized days.

(See By-Law 1: No. 79-103)

CARRIED

5. That a by-law be presented to amend By-law 24 (Traffic) to establish 15 minute parking on the west side of Rideau Street from Ordnance Street 137 feet southerly to the end of the new apartment complex.

(See By-Law 1: No. 79-103)

CARRIED

6. That a by-law be presented to amend By-law 24 (Traffic), By-law 495 (Parking Meters) and By-law 4489 (Parking Lots) to provide the following:

- a) that 28 parking meters on Princess Street between Macdonnell and Tower Streets be relocated into the expanded Gorsline parking lot;
- b) that parking be prohibited on Princess St. between Macdonnell and Tower Streets, to be effective from the opening date of the expanded Gorsline parking lot;
- c) that Tower Street be converted to a two-way street; and
- d) that parking meter rates be increased to 20¢ per hour on the Gorsline parking lot, to conform with the remainder of parking meters in the City.

(See By-Laws 2, 3 & 4: No. 79-104, 79-105 & 79-106)

CARRIED

(Ald. Webb opposed)

(See Following Motion of Amendment which was lost)

REPORTS (Cont'd)

Report No. 57 - Transportation Committee

8. That the following resolution of the City of Kitchener, passed on April 17th, 1979, be endorsed:

"WHEREAS when local municipalities were responsible for the assessment function, they found it possible to include an annual dog census with the return of the assessment roll;

AND WHEREAS when the Province of Ontario took jurisdiction in assessment the annual dog census was dropped;

AND WHEREAS local municipalities find it extremely difficult to exercise control and licensing over dogs because of the lack of an annual dog census;

"AND WHEREAS THE Provincial Assessment Office carries out an annual enumeration of population through the use of part-time personnel;

AND WHEREAS it would require very little additional effort for these persons to also carry out a dog census at the same time, and for the Regional Assessment Office to record and transmit such information to the relevant municipality;

THEREFORE BE IT RESOLVED that the Provincial Minister of Revenue be asked to immediately amend the enumeration system so as to include an annual dog census."

CARRIED

Ald. Clements opposed
Ald. Timmins opposed

9. That the following resolution of the Public Works Committee, passed at its meeting on April 17th, be endorsed:

"That Shell Canada Ltd. be permitted to erect a paved island with planters in the road allowance at the Benson St. entrance/exit to their Division Street gasoline station, as part of a site up-grading proposal, provided that,

- a) Shell Canada Ltd. assume responsibility for any damages attributed to the curbing, paving or planters and will save the City harmless from any claims in connection therewith.
- b) Shell Canada Limited assume the responsibility to maintain the island and planters in good condition.
- c) The City has the right to require Shell Canada Ltd. to remove same upon eight weeks' notice or, alternatively, carry out such removal at Shell Canada cost.
- d) Drainage can be maintained in a satisfactory manner.

CARRIED

REPORTS (Cont'd)

Report No. 57 - Transportation Committee

10. That a by-law be presented to amend By-law 24 (Traffic) to establish parking on Earl Street between Bagot and Wellington Streets, as follows:

NORTH SIDE - No Parking from 10-11 a.m. and 2-3 p.m.
Monday to Friday inclusive;
Parking permitted at other times.

SOUTH SIDE - Parking permitted 10-11 a.m. and 2-3 p.m.
Monday to Friday inclusive;
Parking prohibited at all other times.

NOTE: A two-hour parking limit is presently permitted on each side, on alternate days.

(See By-Law 1: No. 79-103)

CARRIED

11. That the sum of \$20,000. be offered to Gaffney Construction Limited in full and complete payment of their claim for reinstallation of a watermain on the Bath Road bridge, such payment to be borne 75% by the Ministry of Transportation and Communications and 25% by the P.U.C. subject to the concurrence of the P.U.C.

CARRIED

12. That permission be granted to conduct a Canada Week Parade on Saturday, June 23rd, 1979 from 10:00 a.m. to 12 noon, to commence at Victoria Park and travel to City Hall or, in the alternative, to be held on Sunday, June 24th, 1979, commencing at Victoria Park at 1 p.m.

CARRIED

13. That a by-law be presented to amend By-law 24 (Traffic) to provide that fifteen minute parking be established on the east side of University Avenue from Johnson Street 62 feet northerly, on authorized days only.

(See By-Law 1: No. 79-103)

CARRIED

REPORTS (Cont'd)

Report No. 57 - Transportation Committee

14. That M. M. Dillon be authorized to proceed with calling of tenders for the upgrading of Runway 06R-24L at an estimated cost of \$216,000. and if increase in subsidy is not granted by the Ministry of Transportation and Communications, to proceed on the basis of funds available.

NOTE: The above tender call is included under Part B of an Engineering Agreement with M. M. Dillon Limited, Consulting Engineers, as approved by clause 10, Report No. 16, February 13th, 1978, covering the reconstruction of Runway 06R-24L, Norman Rogers Airport.

CARRIED

15. That the Mayor and Clerk be authorized to execute a Surrender of Lease Agreement with William Craig Coupland regarding a lease agreement dated November 8th, 1976, between William Craig Coupland and the Corporation of the City of Kingston respecting the use of airport land for agricultural purposes.

CARRIED

16. That a by-law be presented to Council to authorize the construction of the widening of Division Street between Raglan Road and Main Street by five feet on the east side, in conjunction with the sidewalk reconstruction which is included in the 1979 Sidewalk Reconstruction By-law. The estimated cost of widening is as follows:

Total Cost	\$18,700.00
M.T.C. Share	<u>7,774.35</u>
City's Share	\$10,925.65

And further, that the 1979 Capital Budget be amended as follows:

<u>Transportation Department</u>	<u>Increase</u>	<u>Decrease</u>
Widening - Division St.	\$10,925.65	
Widening - Princess St. (360' west of Sir John A. Macdonald Blvd. to 300' east of Portsmouth Ave.)		\$10,925.65

(See By-Law 5: No. 79-107)

REFERRED TO TRAFFIC & STREETS ADMINISTRATOR
(See Following Motion)

REPORTS (Cont'd)

Report No. 57 - Transportation Committee

Moved by Ald. Webb,
Seconded by Ald. Matthews,

That Clause 16, Report No. 57, be referred back to the Administrator of Traffic & Streets with the request that notification of the proposed construction of the widening of Division Street between Raglan Road and Main Street be sent to the property owners and that information be provided with regard to the City property line on these streets.

CARRIED 13:2

Respectfully submitted,

(Signed) V. Tarnowecky (Chairman)
Lois E. Miller
J. Clark
John Clements
G. Webb

* * *

Ald. Timmins withdrew at 8:50 p.m.

Ald. Gorham presented Report No. 58 of the Parks & Recreation Committee as follows:

Consent was given to the addition of Clause 8, Report No. 58.

Moved by Ald. Gorham,
Seconded by Ald. Bishop,

That Report No. 58 of the Parks & Recreation Committee be received and adopted clause by clause.

Report No. 58

May 17, 1979

To the Mayor and Aldermen

The Parks and Recreation Committee recommends
as follows -

1. That the account of J.D.Lee Engineering Ltd., in the amount of \$4232.70, for professional services rendered to April 30, 1979 in preparing drawings, specifications and tender documents for renovations to the Wally Elmer Youth Centre, be paid and the expenditure charged to Work In Progress - Wally Elmer Youth Centre.

CARRIED

REPORTS (Cont'd)

Report No. 58 - Parks & Recreation

2. That notwithstanding the provisions of By-law No. 21 - A By-law fixing the rental to be charged for Memorial Hall, Committee Rooms and Council Chamber - the Friends of Chamber Music Inc., be permitted to use Memorial Hall at no charge on the evening of July 6, 1979 for the purpose of presenting a free public musical program.

(See By-Law 10 : No. 79-112)

CARRIED

3. That notwithstanding the provisions of By-law No. 19 - A By-law to provide for the regulation use of Parks and Recreational Facilities of the Corporation - the Owners of the twelve boats entered in the Annual Great Steamboat Race be permitted to berth their boats in the Confederation Basin Marina at no charge from June 29 to July 1, 1979.

(See By-Law 11: No. 79-113)

CARRIED

Ald. Lampropoulos withdrew at 8:55 p.m.

Ald. Timmins returned at 8:56 p.m.

4. That notwithstanding the provisions of By-law No. 19 - A By-law to provide for the regulation use of Parks and Recreational facilities of the Corporation - vehicles be allowed to be parked on the City Park road during the period of the Lake Yacht Racing Association's Annual Regatta from August 6 to 10, 1979.

(See By-Law 11 : No. 79-113)

CARRIED

Ald. Lampropoulos returned at 8:58 p.m.

5. That notwithstanding the provisions of By-law No. 19 - A By-law to provide for the regulation use of Parks and Recreational facilities of the Corporation - vehicles be allowed to be parked on the City Park road during the period of the CORK Regatta from August 25 to 31, 1979.

(See By-Law 11: No. 79-113)

CARRIED

6. That the tender for earth fill, clean earth fill and top soil be awarded, in part, as follows -

Earth Fill

2000 cy (more or less) to D.A.Foley Ltd at \$1.74 per cy being the lowest tender received.

Note The above price is subject to an additional charge of \$1.00 per cy during half load limit.

Clean Earth Fill

12,000 cy (more or less) to J.Harrison at \$1.80 per cy being the lowest tender received.

Top Soil (screened)

3000 cy (more or less) to Joyceville Sand and Gravel at \$3.95 per cy being the lowest acceptable tender received.

Note The top soil offered by the two lower tenderers was found to be unsatisfactory.

REPORTS (Cont'd)

Report No. 58 - Parks & Recreation

7. That, as recommended by the Ice Rate Study Committee, Schedule "C" (Schedule of Rates for Rental of Facilities in Youth Centres) of By-law No. 19 - A By-law to provide for the regulation use of Parks and Recreational facilities of the Corporation - be amended to increase the ice rental rates at the Elmer and Cook Youth Centres as follows -

<u>Ice Time For</u>	<u>Existing rates</u>	<u>Proposed rates Fall - 1979</u>	<u>Proposed rates January 1, 1980</u>
<u>Minors</u>			
Except tournaments	\$18.00		
6 am to 3 pm Monday to Friday (holidays excepted)	\$12.00		
Prime Time		\$23.00 [#]	\$25.00 [#]
Off hours		\$15.00 [#]	\$18.00 [#]
<u>Adults</u>			
6 am to 3 pm Monday to Friday (holidays excepted)	\$12.00		
Other times	\$25.00		
Prime Time		\$28.00 [#]	\$30.00 [#]
Off Hours		\$15.00 [#]	\$18.00 [#]

= Each year thereafter the rates will be adjusted up or down according to the Consumer Price Index and/or Cost of Living.

Note The increased rental rates at the Elmer Youth Centre will not become effective until the renovations are complete and an ice surface machine is in operation.

(See By-Law 11: No. 79-113)

CARRIED

Ald. Clements withdrew at 9:00 p.m.

REPORTS (Cont'd)

Report No. 58 - Parks & Recreation

8. That as recommended by the C.A.O. and the Parks and Recreation Commissioner and subject to the concurrence of the City of Kingston Planning Board, an application for a fill permit be authorized to be made to the Cataraqui Region Conservation Authority for placing fill on the City's Parkland on Orchard Street in connection with the Rowing-Canoe Club Construction Project.

CARRIED

Respectfully submitted,

(Signed) M. Gorham (Chairman)
Bill Bishop
J. Clark
A. Lampropoulos
Neil McArthur

* * *

Ald. Gerretsen presented Report No. 59 of the Finance and Accounts Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Report No. 59 of the Finance and Accounts Committee be received and adopted clause by clause.

REPORT NO. 59

May 23, 1979

To the Mayor and Members of Council:

The Finance and Accounts Committee reports and recommends as follows:

1. That, as recommended by Smith, Mill & Ross, Architects, Change Order No. 12 to the contract with Emmons & Mitchell Construction Limited, in the amount of \$2,734.70 for the following work be approved:
- 1) Provide and install all labour and materials necessary to remove portions of brick wall in Lounge #21 and bond same to existing masonry wall (cavity between these walls reduces the structural integrity for supporting roof members).
 - 2) Install sink and accessories in accordance with users' request in second floor lounge (area of bar)
 - 3) Provide and install materials necessary for the installation of a ladder in Mechanical Room to reach hatchway (ladder for this area was to be provided originally from work associated with Dressing Rooms now cancelled).

CARRIED

Ald. Webb opposed

REPORTS (Cont'd)

Report No. 59 - Finance and Accounts Committee

Ald. Knapp withdrew at 8:05 p.m.

Ald. Clements returned at 8:05 p.m.

2. That the following budget transfer be approved, in order to provide funds for the reconstruction of the limestone wall along the south side of the J.K. Tett Creativity Centre:

Decrease:

Finance Contingencies \$10,000

Increase:

Acct. 329-15 - Contributions \$10,000
from Revenue (J.K. Tett Centre)

(Note: This wall is in a very poor state of repair, and an engineer's report strongly recommends that remedial action be taken immediately).

CARRIED

Ald. Matthews opposed

(See Following Motion Which was Lost)

Moved by Ald. Matthews,
Seconded by Ald. Hawkins,

That Clause 2, Report No. 59, be amended to provide that the \$10,000 for the reconstruction of the limestone wall along the south side of the J.K. Tett Creativity Centre be provided from within the Parks Department Budget at the discretion of the Commissioner of Parks and Recreation

LOST 12:2

Ald. Knapp returned at 8:08 p.m.

3. That, as recommended by the Parks and Recreation Committee, the City of Kingston and the Kingston Rowing Club enter into a joint lease with the Cataraqui Canoe Club to permit the Canoe Club to have joint use of the parcel of land in the Orchard Street Park leased to the Kingston Rowing Club, for the construction of an extension to the building to be constructed by the Kingston Rowing Club, the said joint lease to contain the same terms and conditions which form part of the lease between the City of Kingston and the Kingston Rowing Club.

CARRIED

(Ald. Matthews opposed)

REPORTS (Cont'd)

Report No. 59 - Finance & Accounts

4. That, as recommended by the Commissioner of Works, the Agreement between the City of Kingston and the Township of Pittsburgh, dated 10th June, 1974, amended 17th September, 1974, which Agreement covers the reception, treatment and disposal of sanitary sewage from the Township, be further amended to allow for an average daily flow of 400,000 gallons with a peak flow not to exceed 1.1 million gallons.

(Note: The present agreement provides for an average daily flow of 140,000 gallons per day)

CARRIED

5. That a by-law be presented to Council to authorize the reconstruction of concrete sidewalks on the streets listed on the attached Schedule 'A' at a total estimated cost of \$85,807.00 less anticipated M.T.C. subsidy of \$9,107.00 as a charge to the general tax rate, provision for this expenditure having been made in the 1979 Capital Budget.

(See By-Law 6: No. 79-109)

CARRIED

6. That, as recommended by the Commissioner of Works, upon receiving sufficiently signed petitions for the construction of sidewalks as listed on Schedule 'B' attached hereto or reconstruction of sidewalks listed on Schedule 'C' attached hereto, by-laws are to be presented to Council for the works; or if sufficient petitions for the works are not received, Council will consider recommendations from the Commissioner of Works to proceed with the work under the provisions of Section 8 of The Local Improvement Act.

CARRIED

7. That the tender of Donald A. Foley Limited in the corrected amount of \$542,972.44 for the construction and reconstruction of roads, storm sewers and watermains in various streets be accepted, being the lowest tender received, subject to receiving the approval of the Ministry of Transportation and Communications and the Public Utilities Commission, and on the understanding that no work will commence on the Victoria Street projects until the Construction By-Law for the Victoria Street projects has been amended to increase the amount of funds required and O.M.B. approval obtained (Contract No. 79-2W)

CARRIED

8. That no action be taken on the following resolution received from the Town of Tecumseh:

"WHEREAS it appears many individuals who lack business understanding are being taken advantage of by unscrupulous dealers in the Real Estate Field;

REPORTS (Cont'd)

Report No. 59 - Finance & Accounts

8. Cont'd

AND WHEREAS many senior citizens are widowed and alone when they are approached by Real Estate dealers;

AND WHEREAS senior citizens and the public are urged and many times talked into signing documents without benefit of proper advice;

AND WHEREAS most individuals especially senior citizens who sign agreements of purchase and sale, do not seek legal advice before signing;

THEREFORE BE IT RESOLVED that the Town of Tecumseh petition of the Attorney General of Ontario to pass the necessary legislation requiring a 48 hour "cooling-off" period during which individuals who have signed an agreement of purchase and sale be allowed to cancel the said agreement similar to that provided under the Consumer Protection Act of Ontario".

CARRIED

Ald. Webb withdrew at 9:25 p.m.
and returned at 9:26 p.m.

9. That, as recommended by the Chief Administrative Officer, the multi-year budget forecast for the Cataraqui Region Conservation Authority attached hereto as Schedule 'D', be approved and adopted for the years 1980 to 1984.

CARRIED

Ald. Hawkins opposed

10. That, when the City's share of the total costs, including development and maintenance, related to the Lemoine Point Conservation Area, reach \$15,000, the matter of the City's contribution to the Lemoine Point Conservation Area be reviewed by Council.

(Ald. Tarnowecky opposed)

CARRIED

11. That, in recognition of the generous donation made by the Davies family towards the renovation of the Grand Theatre, the upstairs lounge in the renovated Theatre be named the "Davies Lounge".

CARRIED

Ald. McArthur opposed

12. WHEREAS on April 9, 1979, Council resolved to amend the agreement between the City of Kingston and Bob Martin Construction Co. Ltd., with respect to the sale of land located at Queen Mary Road extended and Bath Road, subject to certain conditions; and

WHEREAS it was a condition of such agreement that appraisal be undertaken to establish that the second parcel of land was of sufficient value to receive the indebtedness; and

WHEREAS appraisal has now established that the value of Parcel 2 is approximately \$262,000; and

REPORTS (Cont'd)

Report No. 59 - Finance & Accounts

12. (Cont'd)

WHEREAS the total of the indebtedness to the City is \$251,000;

THEREFORE BE IT RESOLVED THAT development be allowed to proceed according to the aforementioned agreement; and

BE IT FURTHER RESOLVED that with respect to residential development by Bob Martin Construction Co. Ltd. at Queen Mary Road (extended) and Bath Road, the provision of 5% of the land for parklands NOT be required.

CARRIED

Respectfully submitted,

(Signed) Ken Keyes (Chairman)
J. Gerretsen
M. Gorham
Y. Tarnowecy
Grant Timmins

* * *

PROPOSED GENERAL RATE SIDEWALK RECONSTRUCTION FOR 1979

SCHEDULE 'A'

MAY 9, 1979

STREET	SIDE	TYPE	FROM	TO	WIDTH (meters) EXIST. PROP.	COST
(1) Johnson Street	S	B	King Street	Easterly 12.8 m.	1.82 1.5	\$ 1,140.00
Thomas Street	S	B	Patrick Street	Westerly 62.78 m.	-- 1.5	\$ 4,000.00
L. Albert Street	E	A	Queen's Crescent	Northerly 52.58 m.	1.52 1.5	\$ 3,400.00
O'Kill Street	N	A	6.70 m. E. of George St.	Barrie Street	1.22 1.5	\$ 5,212.00
Wellington Street	W	A	7.31 m. S. of Earl St.	Gore St.	2.13 2.13	\$7,255.00
William Street	S	A	King Street	Wellington Street	2.13 2.13	\$ 9,636.00
Alfred Street	E	A	Carleton Street	Northerly 158.191 m.	1.37 1.5	\$ 8,398.00
Division Street	E	A	Raglan Rd.	Main Street	1.5 1.5	\$ 8,600.00
Clergy Street	N	A	Barrie Street	Division Street	1.37 1.5	\$ 9,721.00
Grey Street	W	A	4.26 m. N. of Concession St.	Northerly 20.422 m.	1.37 1.5	\$ 1,149.00
Grey Street	W	A	56.08 m. N. of Concession St.	Northerly 6.40 m	1.37 1.5	\$ 402.00
Mack Street	N	A	Victoria Street	Westerly 26.212 m.	1.37 1.5	\$ 1,474.00
William Street	S	A	C.F. of Barrie St.	Easterly 37.50 m.	1.5 1.5	\$ 2,503.00
College Street	E	A	5.9 m. S. of Park St.	Southerly 164.8 m.	1.22 1.5	\$ 8,550.00
(2)						

STREET	SIDE	TYPE	FROM	TO	WIDTH (meters) EXIST. PROP.	COST
Montreal Street	E	A	John Street	Charles Street	1.5 1.5	\$7,372.00
Carruthers Street	N	A	Palace Rd.	Westdale Ave.	1.22 1.5	\$5,812.00
Palace Road	E	A	7.6 m. N. of Carruthers St.	Northerly 21.031 m.	1.22 1.5	\$1,183.00
Cost						\$85,807.00
Anticipated M.T.C. Subsidy						-\$ 9,107.00
						\$76,700.00

(1) Including curb and boulevard

(2) If walk relocated to widen road this cost would be additional funding not provided in Public Works budget.

May 9, 1979

Proposed 1979 Local Improvement Sidewalk Construction

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>	<u>Width in meters</u>	<u>Estimated cost</u>	<u>Origin</u>
Bath	N	CNR westerly	Bridge	1.5	\$ 9,450.00	Transportation Committee
Portsmouth	E	Princess	southerly 60.35m	1.5	\$ 5,000.00	Transportation Committee
Indian	W	Glengarry	McMichael	1.5	\$17,500.00	Owners request petition
Thomas	S	Cowdy	easterly 84.5m	1.5	\$ 6,050.00	Owners request petition

PROPOSED LOCAL IMPROVEMENTS SIDEWALK RECONSTRUCTION FOR 1979

SCHEDULE 'C'

MAY 9, 1979

STREET	SIDE	TYPE	FROM	TO	WIDTH EXIST. (meters)	PROP. (meters)	COST
Ontario Street	W	A	William St.	Northerly 23.45 m.	2.6	2.0	\$ 2,500.00
William Street	N	B	King St.	Easterly 9.29 m.	1.52	1.5	\$ 1,350.00
King Street	E	B	William St.	Northerly 7.46 m.	1.52	1.5	
Princess Street	N	A	Ontario St.	Easterly 40.11 m.	1.88	1.88	\$ 3,200.00
Brock Street	N	A	Ontario St.	Easterly 37.79 m.	2.44	1.82 & 3.05	\$ 4,400.00
Brock Street	N	A	Napier St.	Easterly 120.24 m.	1.37	1.5	\$ 8,122.00
Grey Street	W	A	23.62 m. N. of Concession St.	Northerly 30.48 m.	1.37	1.5	\$ 2,115.00
Wellington Street	E	B	1.52 m. N. of Queen St.	Northerly 56.44 m.	1.95	1.95	\$ 4,525.00
Brock Street	N	A	King St.	Easterly 12.95 m.	2.9	2.9	\$ 1,340.00
Ontario Street	E	A	46.23 m. S. of Barrack St.	Southerly 20.24 m.	1.82	1.82	\$ 1,560.00
Barrack Street	N	A	Bagot St.	Easterly 77.72 m.	1.52	1.5	\$ 5,100.00
Bagot Street	E	A	Barrack St.	Northerly 27.89 m.	1.52	1.5	\$ 1,705.00
Princess Street	N	B	24.33 m. W. of Alfred St.	Westerly 36.42 m.	1.52	1.5	\$ 2,283.00
TOTALS							\$38,200.00
M.T.C. Subsidy							-\$ 1,500.00
							\$36,700.00

CATARAQUI REGION CONSERVATION AUTHORITY
MULTI-YEAR BUDGET FORECAST - 1980 - 84 INCLUSIVE

1980

Former Beaufort Property North of Bath Road, East of Little Cataraqui Creek -	\$15,000.
15 acres of hard land	2,500.
10 acres hazard lands	

John L. Smith Property North of Pine Woods East of Little Cataraqui Creek	
33 acres wet land	7,000.
42 acres wet land	8,500.

Auld St. Subdivision	25,000.
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Feasibility Study - Development of a natural man assisted public beach, west and north of the base of the Ski Hill.	5,000.
	<u>\$63,000.</u>

1981

Little Cataraqui Creek Area between Princess & Counter Streets	
75 acres - wet lands	\$15,000.

Auld St. Subdivision	25,000.
	<u>\$40,000.</u>

1982

Little Cataraqui Creek Area North of Counter Street -	
75 Acres - wet lands	\$15,000.

Auld St. Subdivision	25,000.
	<u>\$40,000.</u>

1983

Great Cataraqui River Marshlands	\$15,000.
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Auld St. Subdivision	25,000.
	<u>\$40,000.</u>

1984

Great Cataraqui River Marshlands	\$15,000.
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Auld St. Subdivision	25,000.
	<u>\$40,000.</u>

REPORTS (Cont'd)

Report No. 60 - Chief Administrative Officer

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Report No. 60 of the Chief Administrative Officer as follows be received and adopted.

That since it is believed 3.5 gallons per flush should be the minimum allowed and which would depend on the size of drains and the percentage figure of grade they were installed at, the following resolution of the City of Woodstock be NOT endorsed:

"WHEREAS water conservation is of increasing concern,

AND WHEREAS the present flush toilet uses approximately 4 to 5 gallons of water per flush,

AND WHEREAS this consumption could be reduced significantly by the use of water conserving toilets which on the average only require approximately two and one-half gallons of water per flush,

THEREFORE BE IT RESOLVED that the Ministry of Consumer and Commercial Relations be petitioned to amend The Building Code to require the installation of water conserving toilets in all new and replacement installations."

CARRIED

Ald. Gerretsen withdrew at 9:35 p.m.
and returned at 9:37 p.m.

END OF REPORT OF COMMITTEE OF THE WHOLE

* * *

(C) Moved by Ald. Gerretsen
Seconded by Ald. Timmins,

That the Report of the Committee of the Whole be adopted,
approved and confirmed.

CARRIED

11:00 p.m.

Moved by Ald. Webb,
Seconded by Ald. Matthews,

That permission be given to continue the City Council Meeting until consideration of the Agenda is completed.

CARRIED

*Ald. Knapp opposed
Ald. Matthews opposed*

Ald. Hawkins withdrew at 11:02 p.m.
and returned at 11:05 p.m.

UNFINISHED BUSINESS

Alderman Clark commented on the recent article in the Kingston Whig-Standard with regard to persons in receipt of welfare assistance in the City of Kingston. The article had quoted certain statistics and had referred to the City as the Welfare Capital of Ontario. He expressed concern as to what legal steps the City could take to encourage these people to obtain work or to improve their skills so that they can obtain work. He had spoken to the Commissioner of Community Services in London last week and was told that a complete report (Welfare Into Action) had been prepared dealing with eleven potential activities for welfare recipients. He suggested that a Committee be formed to study this report and make recommendations for productive activities for welfare recipients. He said that it is necessary to pursue a County Welfare System. He presented a notice of motion to this effect from himself and Alderman Gorham.

Alderman Clements said that the Special Committee to review the role of the Clerk-Comptroller had made a recommendation that the Chief Administrative Officer be requested to investigate a county welfare system. The Implementation Committee therefore had the mandate to take this under consideration.

Alderman Clements said that the new arcade at Lake Ontario Park certainly does not constitute a family environment.

Alderman Clements said that over 500 people attended Lake Ontario Park to see the fireworks. After one-half hour of waiting for the fireworks to start the people were told that it would not be held that evening. He asked why the public had not been notified that the fireworks were cancelled. There was a traffic jam and there were no policemen on duty at this location. It was a very upsetting experience.

Alderman Clements asked Mayor Keyes to have the matter of bus transportation to Lake Ontario Park on weekends during the summer months placed on the Public Utilities Commission agenda for reconsideration.

Alderman Clements said that as mentioned during the Committee of the Whole he would like to see a full report from the Traffic & Streets Administrator with regard to the problem of parking on Princess Street and the need for parking lots as well as the parking on side streets between Division Street and the old traffic circle. There should be a long term plan. If it is the long range plan to take parking off of Princess Street then it should be a policy of Council and not done in dips and dabs.

Alderman Tarnowewsky said that a notice of motion in this regard should be placed on the next agenda.

Alderman Gerretsen said that he did not believe that the number of persons on welfare had increased that much. With regard to the newspaper article, he had been under the impression that Council had approved a policy whereby the administrators would not give any information except factual information.

Alderman Gerretsen said that he was concerned about the new system. When delegations come to committees the whole purpose was to discuss the matter with a certain amount of give and take. He hoped that future delegations to the Committee of the Whole would not be handled in the manner of the delegation this evening. He asked that the Implementation Committee take this under advisement.

Alderman Gerretsen expressed concern about the buses using Alwington Avenue instead of Sir John A. Macdonald Boulevard between King and Union Streets. The storm sewers in Alwington Avenue are stone and can not take the constant pounding. If it is not possible for the buses to use Sir John A. Macdonald Boulevard because of the hoarding at the Women's Penitentiary then perhaps the hoarding should be set back. It appeared there had not been any work done on the wall at the prison for the past month. He asked why the Public Utilities Commission did not have to come to Council for approval of rerouting buses as they have to for approval of the bus routes. He was not talking about a rerouting for one or two days.

UNFINISHED BUSINESS (Cont'd)

Alderman Gerretsen said that he was concerned about the proposal for the former egg grading station. It is proposed to use the property for a squash club. He expressed concern with regard to the provision of parking and that he did not believe that a rezoning was necessary as he was told that recreation centres are a permitted use in Zone A1. If this is the case the zoning by-law should be changed.

Mayor Keyes explained why the buses were using Alwington Avenue. It created a traffic hazard for the buses to use Sir John A. Macdonald Boulevard when going east on Union Street and turning south onto Sir John A. Macdonald Boulevard from the "left turn" lane instead of the "right turn" lane.

Mayor Keyes said that he had telephoned the Penitentiary to see the amount of time involved in the repair to the wall and the removal of the boarding. The reason no work is being done at the moment is that the work allocated to the first tenderer has been finished and it was necessary to re-tender for the balance of the work. It is proposed that the work will start in the near future. He had requested that they do the corner portion of the wall first.

Alderman Clements said that Alderman Gerretsen had said that the welfare statistics were unchanged. According to the Welfare Administrator the increase over 1978 in employable persons on welfare is 28%.

Alderman Gorham said that he would request the Chief Administrative Officer to report as to why lights were installed at King and West Streets. He would also like information as to the priorities for the installation of lights.

Alderman Gorham asked if the Chief Administrative Officer would be recording the requests made by Council and answering each individual alderman or should these aldermen be asking these questions of the commissioners. If unfinished business is going to be a sounding board it would take time.

Mayor Keyes said that the different matters raised would be referred to the appropriate department heads. The secretary would be keeping a record.

Alderman Gorham said that he was interested in the answers to some of the questions asked this evening.

Alderman Hawkins said that unlike the City policy with regard to blasting done by contractors hired by the City, contractors who are doing work for other people i.e. Beaver Construction on Division Street are undertaking blasting in residential areas without advance notice to the residents. Substantial damage was done by blasting undertaken in January by Beaver Construction on Division Street and no advance notice was given and no one went into the houses to evaluate the condition before blasting. The residents have engaged solicitors to try to claim for damages. He would like to see the Bell Telephone Company adhere to the City practices that have been established for the protection of the householders. It would be to the benefit of the Bell Telephone Company as well to adhere to the City practices.

Alderman Hawkins said that the City has monies from cut permit fees and he suggested that this money be held until these people on Division Street are reimbursed or until the damage is corrected.

Alderman Hawkins asked what had been done about the Tricil Agreement.

Alderman Hawkins asked if the suggested date on the Planning Board agenda i.e. June 26th 1979 for the Public Meeting with regard to the Kingscourt School was a firm date.

Alderman Hawkins said that the Drury Parking Lot had been open less than a year and already eleven meters are missing. He had had a look at the meters and had found that they were not anchored properly.

UNFINISHED BUSINESS (Cont'd)

Alderman Knapp said that he was concerned about the method of reporting to the Committee of the Whole. There will not be a record of any discussion that takes place. Individual aldermen who are on holidays or not present because of illness are put in a bad position because of lack of information. He asked if it would require a motion to have the Committee of the Whole recorded.

The Chief Administrative Officer reported that delegations will have a written submission and this will go out to members of the Council and then they will be able to ask the person questions.

Mayor Keyes said that Alderman Knapp was referring to items that are discussed within the Committee of the Whole. Recommendations will come by way of reports.

Alderman Lampropoulos said that the administrators should be called upon to give us the benefit of their experience. He had been under the impression that Mayor Keyes would ask questions when questions are needed.

Alderman Lampropoulos said that Jog-a-Thons are becoming very popular. He said that plans are going ahead for the jog-a-thon on Sunday, June 24th 1979. He displayed posters which would be erected throughout the City.

Alderman Matthews said that he did not believe that welfare was being abused. People work practically all their lives and for some reason lose their jobs.

Alderman McArthur said that he had checked three houses on Cataract Street and had found damage from blasting and agreed there should be a precheck by contractors.

Alderman McArthur commented on the small size of the shopping centre approved by Council for the old quarry site.

Alderman McArthur said that you can make people on welfare work.

Alderman McArthur said that trucks hired by the City are using streets that are not truck routes. This should be brought to the attention of the proper officials. The City should stop hiring trucks that are being driven on streets upon which heavy trucks are prohibited.

Alderman Miller said that she did not find anything in the story with regard to persons on welfare that appeared to be criticism. The Administrator had provided factual information. As to the statistics, she believed that the number of persons in receipt of welfare classified "employable" included the dependents.

Alderman Miller said that she was concerned about the letter received from the Unemployment Help Centre. She asked if the letter would be responded to. If a person on welfare refuses to take work then he or she should be refused welfare assistance. If a person is trying to obtain work and willing to work he should be kept on welfare assistance. She believed that this is the policy of the Social Services Department and the reason for having a welfare caseworker working from Canada Manpower. The focus should be made on not work for welfare but work for wages.

Alderman Miller said that she had an example from Mr. Healy of the Council Minutes as reduced. She did not believe that she could read it without a magnifying glass and was not in favour of Minutes being printed in a reduced form.

UNFINISHED BUSINESS (Cont'd)

Alderman Timmins said that he was concerned about the length of the meeting and of future meetings. He suggested that "Unfinished Business" be placed last on the agenda.

Alderman Webb said that he could make a motion and Alderman Timmins would second it that strong representations be made to the Committee selecting persons for the Hockey Hall of Fame with regard to having "Bun Cook" selected but he would ask the Mayor to make this approach.

* * *

MOTIONS

- (1) Moved by Ald. Webb,
Seconded by Ald. Matthews,

That the matter of the development of a community size shopping centre in the approximately 36 acre site on the east side of Division, between Weller and Benson Streets, (Clause 1, Report No. 36, 1979) be reopened.

(Note: An Affirmative vote of two-thirds of the members of Council who are present at the meeting is required under Section 27 of By-Law No. 1 to carry this motion of reconsideration).

LOST 6:9
(See Recorded Vote)

Ald. Webb requested a recorded vote which was as follows:

YEAS: Mayor Keyes, Ald. Bishop, Ald. Gerretsen, Ald. Hawkins,
Ald. Matthews, Ald. McArthur, Ald. Tarnowecky, Ald. Timmins,
Ald. Webb (9)

NAYS: Ald. Clark, Ald. Clements, Ald. Gorham, Ald. Knapp,
Ald. Lampropoulos, Ald. Miller (6)

- (2) Moved by Ald. Webb,
Seconded by Ald. McArthur,

That the congratulations of Council be extended to Miss Flora MacDonald, M.P., on her re-election.

CARRIED

- (3) Moved by Ald. Clark,
Seconded by Ald. Bishop,

That the congratulations of Council be expressed to Ald. Hawkins for being named Sportsman of the Year.

CARRIED

NOTICE OF MOTION

- (1) Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That blasting be prohibited within the Corporation of the City of Kingston, until an inspection of all residences within a number of feet to be determined by the respective Department Head has been carried out. This home inspection would be carried out by the City, the Contractor and the Home Owner (resident) to determine the condition of each home prior to the commencement of the blasting.

REFERRED TO THE COMMISSIONER OF WORKS

NOTICE OF MOTION (Cont'd)

- (2) Moved by Ald. Clements,
Seconded by Ald. Clark,

That the Traffic, Streets and Parking Administrator present a report on:

- 1) the feasibility of taking parking off Princess Street at rush hours; and
- 2) the parking situation between Division Street and the old traffic circle to include parking provided on side streets off of Princess Street and the present and future need for parking lots in this area

REFERRED TO TRAFFIC & STREETS ADMINISTRATOR

- (3) Moved by Ald. Clark,
Seconded by Ald. Gorham,

That the Mayor appoint a committee to make recommendations concerning:

- 1) the development of additional productive activities for welfare recipients
- 2) the implementation of a county-wide welfare system.

*REFERRED TO IMPLEMENTATION COMMITTEE AND
CHIEF ADMINISTRATIVE OFFICER*

- (4) Moved by Ald. Knapp,
Seconded by Ald. Miller,

That By-Law No. 24 be amended to provide:

- A) that residents on one or two family residential streets be exempt from the "no parking" restrictions on their own block of a street;
- B) that for purposes of identification, and to prevent abuse, residents be issued one residency sticker at a cost to be determined by the appropriate City Department; (to cover printing and labour costs)
- C) that they be allowed to apply for a second sticker for an additional surcharge;
- D) further, that this residency sticker expire simultaneously with the introduction of winter parking restrictions; and
- E) further, that application for these stickers be done annually.

REFERRED TO TRAFFIC & STREETS ADMINISTRATOR

BYLAWS

Council consented to the withdrawal of Bylaw No. 5 as Clause 16, Report 57 was referred back.

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That By-Laws 1 to 4 and 6 to 12 be given their First & Second Readings.

CARRIED

- (B) Moved by Ald. Matthews,
Seconded by Ald. Tarnowecky,

That Rule No. 35 of By-Law 1 be suspended for the Purpose of Giving By-Laws 7 to 12 their Third Reading.

CARRIED

At the request of Ald. Webb, Council consented to a division of the vote on the Third Reading By-Laws to permit a separate vote on By-Law No. 13.

- (C) Moved by Ald. Timmins,
Seconded by Ald. Gerretsen,

That By-Laws 7 to 12 and 14 to 17 be given their Third Reading.

CARRIED

- (D) Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That By-Law No. 13 be given its Third Reading.

*CARRIED 10:5
(See Recorded Vote)*

YEAS: Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements,
Ald. Gerretsen, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews,
Ald. McArthur, Ald. Miller (10)

NAYS: Ald. Gorham, Ald. Hawkins, Ald. Tarnowecky, Ald. Timmins,
Ald. Webb (5)

- (1) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act." (Clauses 4, 5, 10, & 13 Report No. 57)

(FIRST & SECOND READINGS) (Proposed No. 79-103)
Clauses 4, 5 10, & 13, Report No. 57, 1979

(Note: Ministry of Transportation and Communications approval NOT required.)

BYLAWS (Cont'd)

- (2) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act." (Clause 6, Report No. 57).

(FIRST & SECOND READINGS)

(Proposed No. 79-104)

Clause 6, Report No. 57, 1979

(Note: Ministry of Transportation and Communications approval REQUIRED.)

- (3) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of such Parking Meters". (Clause 6, Report No. 57).

(FIRST & SECOND READINGS)

(Proposed No. 79-105)

Clause 6, Report No. 57, 1979

- (4) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, Supervise and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots." (Meter Rate: Gorsline Parking Lot)

(FIRST & SECOND READINGS)

(Proposed No. 79-106)

Clause 6, Report No. 57, 1979

- (5) A By-Law to Authorize the Construction of Widening the Asphalt Pavement by 1.5 Meters on the East Side of Division Street from Raglan Road to Main Street (General Rate).

(FIRST & SECOND READINGS)

(Proposed No. 79-107)

Clause 16, Report No. 57, 1979

WITHDRAWN

- (6) A By-Law to Authorize the Reconstruction of Certain Concrete Sidewalks (General Rate).

(FIRST & SECOND READINGS)

(Proposed No. 79-108)

Clause 5, Report No. 59, 1979

- (7) A By-Law to Amend By-Law No. 7080, "A By-Law Respecting the Fire Department" (Committee of the Whole Revision)

(THREE READINGS)

(Proposed No. 79-109)

Clause 2, Report No. 56, 1979

BY-LAWS (Cont'd)

- (8) A By-Law to Close Bagot Street from Barrie Street to West Street to Vehicular Traffic on Sunday, June 24, 1979, from 8 a.m. to 3 p.m. for community purposes.

(THREE READINGS)

(Proposed No. 79-110)

Clause 2, Report No. 57, 1979

- (9) A By-Law to Amend By-Law No. 8, "A By-Law to Provide for the Licensing and Regulation of Dogs and Cats and for the Control of Animals Suspected of Having Rabies" (Revise Location of Dog Pound to 231 Dalton Avenue).

(THREE READINGS)

(Proposed No. 79-111)

Clause 3, Report No. 57, 1979

- (10) A By-Law to Amend By-Law No. 21, "A By-Law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber" (Clause 2, Report No. 58).

(THREE READINGS)

(Proposed No. 79-112)

Clause 2, Report No. 58, 1979

- (11) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation." (Certain Temporary Exceptions to Regulations and Revised Ice Rental Rates).

(THREE READINGS)

(Proposed No. 79-113)

Clauses 3, 4, 5 & 7, Report No. 58, 1979

- (12) A By-Law to Confirm the Proceedings of Council at its Meeting Held May 28, 1979.

(THREE READINGS)

(Proposed No. 79-114)

City Council Meeting No. 21, 1979

- (13) A By-Law Respecting Smoking in The City of Kingston.

(THIRD READING)

(Proposed No. 79-26)

Clause 4, Report No. 23, 1979 and

Clause 2, Report No. 50, 1979

- (14) A By-Law to Change the Name of the Highway Known as "Green Drive" in The City of Kingston to "Greenview Drive".

(THIRD READING)

(Proposed No. 79-81)

Clause 10, Report No. 44, 1979

- (15) A By-Law to License, Regulate and Govern Trailer Camps and to Licence Trailers in the City of Kingston and to Repeal By-Law No. 1023.

(THIRD READING)

(Proposed No. 79-93)

Clause 5, Report No. 50, 1979

BY-LAWS (Cont'd)

- (16) A By-Law to Amend By-Law No. 3, "A By-Law Respecting Certain Officials of the Corporation" (Public Access to Documents).

(THIRD READING)

(Proposed No. 79-94)

Clause 6, Report No. 50, 1979 and
Clause 5, Report No. 56, 1979

- (17) A By-Law to designate the area bounded by Princess, Ontario and Wellington Streets and the Great Cataraqui River and the block bounded by Princess, Ontario, Brock and King Streets as a Redevelopment Area under Section 22 of the Planning Act.

(THIRD READING)

(Proposed No. 79-96)

Clause 1, Report No. 54

Ald. Timmins opposed
Ald. Hawkins opposed

ADJOURNMENT

Moved by Ald. Timmins,
Seconded by Ald. Tarnowecky,

That Council do now adjourn.

CARRIED

Council Adjourned at 11:30 p.m. May 28, 1979

(L.S.)

(Signed) M.C. Healy
City Clerk

(Signed) Ken Keyes
Mayor



CITY COUNCIL MEETING NO. 22

The regular meeting of City Council was held on Monday, June 4, 1979, in the Council Chamber, City Hall at 7:05 p.m. His Worship Mayor Keyes Presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements (arrived at 7:10 p.m.) Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (15)

MINUTES

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That the minutes of Council Meeting No. 21 held on May 28, 1979 be adopted as printed.

CARRIED

PETITIONS

COMMUNICATIONS

Council consented to the addition of Communication Nos. 307 to 311.

Filed

- (301) Copy of letter to Prince George Hotel from the Liquor Licence Board of Ontario acknowledging receipt of an application for a patio (dining lounge) and patio (lounge) licence at the Prince George Hotel, Kingston (File No. 12-6).
- (302) From National Youth Orchestra of Canada thanking the City for its grant in the amount of \$750.00. (File No. 7-3).

Referred to Planning Board

- (303) Zone change application from Homestead Landholdings Limited (purchased from Ontario Housing Corporation) for Block S, Calvin Park, also shown as Part 1 on Reference Plan 13R-2120, south side of Bath Road and east side of Portsmouth Avenue (3.9 hectares). The classification requested is Zone B-3 to comply with official plan designation for additional apartment units when demand is indicated. (File No. 25-2).

Referred to the City Treasurer

- (304) From Mrs. Irene Mooney requesting that the grants from Queen's University and the local hospitals should be increased from the regular rate of \$50.00 so that these grants can be kept in line with increasing taxes. (File No. 21-3.2).

COMMUNICATIONS (Cont'd)

Filed

- (305) From Kingston Equality for the Disabled thanking Council for its donation of \$200 towards the cost of a wine and cheese party on May 5 for the annual conference of the United Handicapped Groups of Ontario and which helped to welcome the delegates to Kingston. (File No. 3-9).

Referred to the Police Chief and Parks and Recreation Commissioner

- (306) From Kingston Day Care Inc., corner of Queen and Chapman Streets, informing the City of the problem they are having with vandalism to their playground and asking for assistance with regard to repairs and supervisory help. (File No. 4-1.1-1).

Filed (Copy Has Also Been Received by the Director of Planning)

- (307) Copy of "White Paper on The Planning Act" and Notice that the Honourable Claude Bennett, Minister of Housing, together with senior officials, will be holding meetings with municipal representatives throughout the Province to explain the proposed changes.

There will be a meeting held in Kingston on June 21, 1979 in Dunning Auditorium, Queen's University, from 9 a.m. to 12 noon. (File No. 17-9).

Referred to the Chief Administrative Officer

- (308) From the Mayor of Sturgeon Falls, Ontario requesting financial assistance from the City of Kingston for the Township of Field (approximately 14 miles north of Sturgeon Falls) which suffered severe flood damage on April 30, 1979. The Township of Field and surrounding areas of Springer, Crerar, Gibbons, Grant, Badgerow and Pedley were declared disaster areas by the Honourable W.J. Davis, Ontario Premier. (File No. 7-3)
- (309) Notice of 1979 A.M.O. Annual Convention to be held in Toronto, at the Royal York Hotel from August 19 to 22, 1979, and enclosing accommodation application forms. (File No. 1-5)

Filed

- (310) From the Kingston Symphony Association thanking the City for its grant in the amount of \$7,500. (File No. 7-3)
- (311) From The Board of Directors of Kingston's Home for Handicapped inviting the City to their Open House at Tercentennial Lodge, 372 King Street West, on Saturday, June 16, 1979. (File No. 11-3)

(Note: Copy of Invitation has been distributed to each member of Council).

COMMITTEE OF THE WHOLE

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That Council resolve itself into the Committee of the Whole to receive delegations and Reports, with Mayor Keyes in the Chair.

CARRIED

- (B) Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That Council Rise from the Committee of the Whole and the Chairman Report.

CARRIED

Mayor Keyes reported that the following Reports were considered in the Committee of the Whole:

REPORTS

Ald. Timmins presented Report No. 61 of the City of Kingston Planning Board as follows:

Council consented to the deletion of the reference to "By-Law No. 9347" in Clause 3 of Report No. 61.

Moved by Ald. Timmins,
Seconded by Ald. Clements,

That Report No. 61 of the City of Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 61

May 29th, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS Bell Canada has applied to have Zoning By-Law No. 8499 amended so as to permit the buildings and facilities of a telephone company in all zones, provided that they comply with the standards established for the zone within which they are located; and

WHEREAS in the interests of accommodating this community-wide service this application is considered to be acceptable;

REPORTS (Cont'd)

Report No. 61 - City of Kingston Planning Board

1. (Cont'd)

THEREFORE BE IT RESOLVED THAT a by-law be presented to amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston', by adding the words "or Bell Canada (other than a business office of Bell Canada)" after the word "authority" and the word "telephone" after the word "transportation" in Section 5.1(c), so that it reads:

"Section 5: General Provisions for All Zones

5.1 Permitted Uses

- (c) lands, buildings, structures and uses required by any public authority or Bell Canada (other than a business office of Bell Canada) for the provision of electrical, gas, water, sanitary, transportation, telephone and like services and utilities to the general public"

(See By-Law 1 : No. 79-115)

CARRIED

Ald. Matthews withdrew at 7:20 p.m.

2. WHEREAS in November 1977 Council approved Development Control for renovation of retail and office space at the former Bibby's site on Princess Street; and

WHEREAS it has now come to the attention of the Board that there are discrepancies between the completed renovations and the approved Development Control plans; and

WHEREAS Canada Trust Limited has entered into a lease for the westerly portion of this property, with the owner, Two Brothers Limited, and as lessee is responsible for completion of the facade; and

WHEREAS the owner has submitted an application for amendments to the Development Control agreement which would permit certain changes to the approved plans for the westerly portion of the buildings, immediately adjacent to the existing Canada Trust building, in order to permit expansion of the said Canada Trust office space on the ground floor; and

WHEREAS in the opinion of Council the revisions are acceptable and refusal would be a hardship to Canada Trust;

THEREFORE BE IT RESOLVED THAT the revisions to the westerly 32'+ only, of the structure, which is to be leased to Canada Trust, be approved as shown on the following plan:

Plan #CT-1 - North Elevation - May, 1979

and that the Development Control Agreement between the City and Two Brothers Limited be amended accordingly.

REPORTS (Cont'd)

Report No. 61 - City of Kingston Planning Board

3. WHEREAS the Ministry of Housing has requested the City to submit a revised Application "C" for implementation funds for the Neighbourhood Improvement Program, such application to include only the total implementation funding for the program in the amount of \$2,251,551.24;
- and-
- has requested a resolution of Council giving the required authorization;
- and-
- has requested the rescinding of By-Law No. 9348 and their replacement by a by-law containing the revised budget;

THEREFORE BE IT RESOLVED THAT:

- a) By-laws be presented to repeal By-Law No. 9348 and to amend By-Law No. 8438 "A By-law to Adopt a Redevelopment Plan for the City of Kingston Neighbourhood Improvement Area", as amended to provide for a revised implementation budget in the amount of \$2,251,551.24; and
- b) A revised Application "C" for implementation funds for the Neighbourhood Improvement Program, in the amount of \$2,251,551.24 be approved and submitted to the Minister of Housing.

(Note: This action is necessary to correct an error made by the Ministry in its calculations, and will not affect the amount of funding available to the City under the N.I.P. program).

(See By-Law 4 : No. 79-118)

CARRIED AS AMENDED

4. WHEREAS there is a disagreement between the federal and provincial governments with respect to the appropriate standards to be applied in connection with the Residential Rehabilitation Assistance Program and loans made thereunder; and

WHEREAS the City of Kingston has been requested by the Municipal Liaison Committee to indicate its views on this matter; and

WHEREAS this matter has been considered by the Housing Subcommittee and by the Planning Board, and it is considered that the local municipality's Property Standards By-Law should be the standard to be adhered to in respect to loans under the R.R.A.P. program;

REPORTS (Cont'd)

Report No. 61 - City of Kingston Planning Board

4. (Cont'd)

THEREFORE BE IT RESOLVED THAT the Municipal Liaison Committee be informed that the City of Kingston recommends that the Provincial Government continue to negotiate to have the maintenance and occupancy by-law retained as the basic standard of the Residential Rehabilitation Assistance Program, bearing in mind that municipalities that do not now have an Agency Agreement will not receive R.R.A.P. funding until an Agreement is signed.

CARRIED

Ald. Matthews returned at 7:22 p.m.

5. WHEREAS there are at present some 121 rent supplement units in the City of Kingston which are administered by the Kingston Housing Authority; and

WHEREAS it now appears, after consideration by the Housing Subcommittee and by the Planning Board, that the amount of subsidy with respect to rent supplement units is very high, compared to the subsidy with respect to publicly owned rent-geared-to-income housing units; and

WHEREAS the greatest demand for rent supplement units is for one- and two-bedroom units, which should be maintained; and

WHEREAS it is the feeling of Planning Board that under the present circumstances, long-term agreements are not desirable;

THEREFORE BE IT RESOLVED THAT the City of Kingston institute a policy of non-renewal of long-term rent supplement agreements; and

BE IT FURTHER RESOLVED THAT, since it appears that there is no immediate plan to replace one- and two-bedroom rent supplement units, that agreements expiring in 1980 with respect to one and two bedroom units be extended on a yearly basis, subject to annual renewal.

CARRIED

6. That, as recommended by the Development Control Committee, the following plans, submitted for a recreational, storage, changing and shower facility in Orchard Street Park (City of Kingston owner; Cataraqui Canoe Club, lessee):

Dwg. #1 - Site Plan - Scale 1"=50' - June 1978

Dwg. #2 - Floor Plan - Scale 1/4"=1'0" - Dec. 1978

Dwg. #3 - Elevations - Scale 1/4"=1'0" - Dec. 1978

Dwg. #5 - Perspective (North-East) - Dec. 1978

(J.R. Armitage, P. Eng., Designer)

be approved, subject to the lessee entering into an agreement which shall include the following conditions:

REPORTS (Cont'd)

Report No. 61 - City of Kingston Planning Board

6. Cont'd

- a) That development by the lessee shall be in accordance with the above listed plans;
- b) That no building permit shall be issued until after approval of By-Law 9258 has been given by the Ontario Municipal Board and the Ministry of Environment has submitted a positive report with respect to soil conditions of the site;
- c) that prior to issuance of the building permit servicing and grading plans to the satisfaction of the Commissioner of Works shall be submitted by the lessee;
- d) that connection to the sanitary sewage system shall be carried out by the City at the lessee's expense;
- e) that the electrical supply shall be by the lessee from Orchard Street, via an underground service to P.U.C. standards;
- f) that the water supply shall be by the lessee and shall be a minimum of 2"Ø to P.U.C. standard;
- g) that exterior lighting shall be subject to approval of the City of Kingston;
- h) that no building permit shall be issued until after arrangements for lease of the land by the City to the lessee have been finalized to the satisfaction of both parties;
- i) that water, electrical and sewer services to this building and the adjoining building of the Kingston Rowing Club may be by commonly used connections with separate metering where necessary, provided agreement with regard to sharing of installation costs between the two parties has been arrived at;
- j) that all artifacts of historic value which may be uncovered during construction shall be considered to be the property of the City and shall be turned over to the City forthwith.

CARRIED

7. WHEREAS in January, 1979, development control approval was given for construction of a retail commercial building located at 684-688 King Street (owned by H.R.C. Automotive Ltd.); and

WHEREAS among the conditions of approval were the following:

REPORTS (Cont'd)

Report No. 61 - City of Kingston Planning Board

7. (Cont'd)

- (i) all exterior air conditioning and other mechanical units shall be screened in a manner which is satisfactory to the City;
- (ii) an enclosed garbage storage container shall be constructed at the south-east corner of the structure with the design and exact location to be submitted for City approval;
- (iii) a wooden fence of a minimum 4½ ft. height shall be constructed along the rear lot line of the site, with design details to be submitted for City approval;

and

WHEREAS the owner has submitted plans in fulfillment of the above-mentioned conditions, as follows:

- (i) a 4½ ft. high wooden fence along the rear lot line;
- (ii) a 4½ ft. high wooden fence screening the exterior ground mount air conditioning unit at the rear of the building;
- (iii) a garbage storage enclosure 6 ft. high attached to the rear of the building;

and

WHEREAS the above-mentioned plans are deemed by the Development Control Committee to be acceptable;

THEREFORE BE IT RESOLVED THAT the above-mentioned plans be approved in fulfillment of the conditions of Development Control as set out above.

CARRIED

Respectfully submitted,

(Signed) Grant Timmins (Chairman)
Ken Keyes
John Clements
W. Knapp
Lois E. Miller

* * *

REPORTS (Cont'd)

Ald. Gerretsen presented Report No. 62 of the Board of Management for the Grand Theatre.

Moved by Ald. Gerretsen,
Seconded by Ald. Tarnowecky,

That Report No. 62 of the Board of Management for the Grand Theatre be received and adopted.

REPORT NO. 62

To the Mayor and Aldermen:

The Board of Management for the Grand Theatre reports and recommends as follows:

1. That the following budget amendment be approved in order to provide funds to stock the new bar at the Grand Theatre.

<u>GRAND THEATRE</u>	<u>INCREASE</u>
Revenue - Bar	\$1,500.
Expenditures - Bar	\$1,500.

CARRIED

Respectfully submitted,

(Signed) J. Gerretsen
Y. Tarnowecky

* * *

REPORTS (Cont'd)

Council consented to the addition of Clause 15 to Report No. 63.

Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Report No. 63 of the Chief Administrative Officer, as follows,
be adopted clause by clause.

REPORT NO. 63

June 4, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That the Minutes of Meeting No. 10 of the Transportation Committee be confirmed.

CARRIED

2. That the Minutes of Meeting No. 9 of the Public Works Committee be confirmed.

CARRIED

3. That the Minutes of Meeting No. 8 of the Parks and Recreation Committee be confirmed.

CARRIED

(See Clauses 11 and 12 for Minutes of the Community Services Committee and Finance Committee).

4. That the following resolution of the Public Utilities Commission be approved:

"That the Public Utilities Commission of the City of Kingston will participate on a voluntary basis in the development of a municipal energy conservation program for the City of Kingston with the assistance of community resource groups and the Joint Steering Committee on Energy Conservation of the Ontario Ministry of Energy and the Association of Counties and Regions of Ontario."

CARRIED

5. That, as recommended by Smith, Mill & Ross, Architects, Change Order No. 14 to the contract with Emmons & Mitchell Construction Limited, for the supply of furnishings for the Grand Theatre in the amount of \$7,616.40 plus sales tax, where applicable, be approved:

(Note: See attached Schedule "A" for a list of the furnishings.

An amount of \$10,000 was included in the contract for furnishings.).

CARRIED

6. That, as recommended by the Commissioner of Works, the tender of Marmac Hydraulics to supply two Hopper Type Aggregate Spreaders at a net cost of \$9,200. be accepted and that the additional funding of \$200.00 be taken from the provision for replacing a station wagon, the replacement of the station wagon to be reconsidered in the fall prior to the vehicle tender recall.

(Note: See attached Schedule "B".)

CARRIED

REPORTS (Cont'd)

Report No. 63 - Chief Administrative Officer

7. That, as recommended by the Commissioner of Works, the tender of S.M.I. Limited to supply three Bombardier track-type sidewalk snow plows at a net cost of \$55,494.08 be accepted and that the additional funding of \$4,494.08 be taken from the provision for replacing a station wagon, the replacement of the station wagon to be reconsidered in the fall prior to the vehicle tender recall.

(Note: See attached Schedule "C".)

*REFERRED BACK TO COMMISSIONER OF WORKS
(See following Motions)*

Moved by Ald. Clements,
Seconded by Ald. Hawkins,

That Clause 7, Report No. 63, be referred back to the Commissioner of Works for a report on the type and operation of equipment purchased in 1978 and the comparison between this type of equipment and the proposed bombardier track-type sidewalk snowplows.

CARRIED

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That the Commissioner of Works report on the possibility of changing the City's policy to require snow to be removed from sidewalks by the owners and occupants of the abutting land instead of by the City of Kingston.

CARRIED

8. That as recommended by the Commissioner of Works, the tender of Diversey Environmental Products Ltd. to supply 1,600,000 pounds of Ferric Chloride (550,800 pounds of contained Iron 3) at a cost of \$151,492.00 based on \$.275 per pound contained Iron 3, be accepted on the basis that the price is firm for one year and the supply is subject to "Force Majeuve Clause", being the lowest tender received.

CARRIED

(Note: See Attached Schedule "D".)

9. That, as recommended by the City Solicitor, a By-Law to Amend By-Law No. 2958, 'A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs' be presented to Council to:

- a) Increase the fees for signs with a minimum of \$15.00 being proposed as suggested by Item 6 (b) and (c).
- b) Provide for a fine of up to \$1,000 for any person who fails to conform to the provisions of this by-law as set out in Item 29.

(Note: See attached Schedule "E" for a copy of the memorandum from the City Solicitor and the proposed amending by-law.

Revenue from fees for signs in 1978 amounted to \$609.
Anticipated revenue 1979 - \$600.).

(See By-Law 2: No. 79-116)

CARRIED

REPORTS (Cont'd)

Report No. 63 - Chief Administrative Officer

10. That, as recommended by the City Solicitor, an agreement be entered into with Grenville Park Co-operative Housing Association Limited for the acquisition of an additional 300' of the one foot strip of land abutting the lands described as Parts 1, 2, 3, and 4 on Reference Plan 13-R-3577 subject to the terms of the agreement, a copy of which is attached as Schedule "F" (on west side of Queen Mary Road).

(Note: Schedule "F" also contains a copy of the memorandum from the City Solicitor and a report from the Chief Administrative Officer on the meeting held in this regard.).

CARRIED

11. That the Minutes of Meeting No. 10 of the Community Services Committee be confirmed.

CARRIED

12. That the Minutes of Meeting No. 12 of the Finance and Accounts Committee be confirmed.

CARRIED

Ald. Lampropoulos withdrew at 8:15 p.m. and returned at 8:17 p.m.

13. WHEREAS application (R.38(3)79) for subsidy approval has been made to, and received from, the Minister of Transportation and Communications for the following 2 airport projects:

- 1) Preparation of a Master Plan at an estimated cost of \$22,000 which is eligible for an 80% subsidy of \$17,280, City's share \$4,320. (It being noted that the net amount of \$21,600 was provided for this expenditure in the 1979 Budget leaving \$17,200 available), and
- 2) Restoration of Runway 06R-24L at a total estimated cost of \$147,000, which is eligible for a 50% subsidy, and which included the following work:

Runway Asphaltting	\$ 92,000
Lighting	38,600
	<u>130,600</u>
Engineering	15,562
Total	<u>\$146,162</u>
	<u> </u>
Rounded Total	<u>\$147,000</u>
	<u> </u>
Estimated Total Subsidy	<u>\$ 73,500</u>

(It being noted:

- a) The net amount of \$3,112. was provided in the 1979 Budget for Engineering, and
- b) The net amount of \$72,200 is provided in the 1979 CAPITAL BUDGET for the issue of debentures)

REPORTS (Cont'd)

Report No. 63 - Chief Administrative Officer

13. (Cont'd)

WHEREAS Council has authorized (R.57(14)79) M.M. Dillon to call tenders for the upgrading of Runway 06R-24L at a revised estimated total cost of \$216,000 as follows on understanding that if an increase in subsidy is not granted the City will proceed on the basis of funds available:

Construction	\$160,000
Lighting	20,000
Contingencies	18,000
Sub Total	\$198,000
Engineering	18,000
Total	<u>\$216,000 :</u>

THAT application be made to the Ministry of Transportation and Communications for increased subsidy in connection with the following 1979 airport project as amended:

Project: <u>Runway 06R-24L Improvements</u>	<u>Total Approved Amount of Cost</u>	<u>Total Revised Amount of Cost</u>
Asphalt and Runway Lighting and Engineering	\$147,000	\$216,000

- AND -

THAT a by-law be presented to Council to authorize the construction of improvements to runway 06R-24L at the City's Norman Rogers Airport at a total estimated cost of \$216,000 of which \$72,688 is to be debentured at the general rate:

REPORTS (Cont'd)

Report No. 63 - Chief Administrative Officer

13. (Cont'd)

	<u>Cost</u>	<u>Revenue</u>		
		<u>M.T.C.</u>	<u>1979</u>	<u>Debentures</u>
		<u>Subsidy</u>	<u>Budget</u>	
Construction	\$160,000.			
Lighting	20,000.			
Contingencies	18,000.			
Less:				
Estimated M.T.C.				
50% subsidy:		\$99,000.		
1979				
Budget Funds				
- Runway Lights			\$12,000.	
- Threshold Lights			3,000.	
- \$17,200 of \$21,600.			17,200.	
Debentures				\$66,800.
Sub Total	\$198,000.	\$99,000.	\$32,200.	\$66,800.
Engineering	18,000.			
Less:				
Estimated M.T.C.				
50% Subsidy		9,000.		
1979				
Budget Funds:				
\$3,112. Net of				
\$15,562.			3,112.	
Debentures				5,888.
Total	\$216,000.	\$108,000.	\$35,312.	\$72,688.

(Note: 1979 Capital Budget Funds for Runway = \$72,200.)

(See By-Law 3: No. 79-117).

CARRIED

14. That, as recommended by the Administrator of Traffic and Streets, permission be granted to the Stormont, Dundas & Glengarry Highlanders to conduct a short parade on Sunday, June 10th 1979, commencing at 12 noon from the Montreal St. Armoury, south on Montreal St. to Princess St., east on Princess St. to King, north on King St. to Barrack Street, and west on Barrack St. to the front of the Legion where a Memorial service will be held and then the parade will proceed west on Barrack St. to Wellington, south on Wellington St. to Queen St., west on Queen Street to Montreal and north on Montreal St. to the Armoury.

CARRIED

REPORTS (Cont'd)

Report No. 63 - Chief Administrative Officer

15. That, notwithstanding the provisions of By-Law 10 (Streets), Sydenham Street between Princess St. and Queen St. be closed to vehicular traffic on Friday, June 29, 1979 between the hours of 8 p.m. and 1 a.m. for the purpose of conducting a street dance to be sponsored by the Speedy Wagon C.B. Social Club.

*CARRIED AS AMENDED
(See following Motion of Amendment)*

Moved by Ald. Lampropoulos,
Seconded by Ald. Webb,

That Clause 15, Report No. 63, which reads as follows:

That, notwithstanding the provisions of By-Law 10 (Streets), Sydenham Street between Princess St. and Queen St. be closed to vehicular traffic on Friday, June 29, 1979 between the hours of 8 p.m. and 1 a.m. for the purpose of conducting a street dance to be sponsored by the Speedy Wagon C.B. Social Club,

be amended to read as follows:

That, notwithstanding the provision of By-law 20, "A By-law Respecting Public Market and Court Yard of City Hall", the public market at City Hall be closed to vehicular traffic on Friday, June 29, 1979 between the hours of 8 p.m. and 1 a.m. for the purpose of conducting a street dance to be sponsored by the Speedy Wagon C.B. Social Club.

CARRIED

Respectfully submitted,

R.J. Hamilton,
Chief Administrative Officer

GRAND THEATRE
KINGSTON, ONTARIO

Residential Commercial
Chairs Tables Lamps Fabric
Drapery Carpeting Wallpaper Rugs
Bed and Bath Accessories plus

May 22, 1979

**design
plus**

A Division of 401669 Ontario Limited

FURNISHINGS
MASTER PURCHASE ORDER

300 King Street East
Kingston, Ontario
K7L 3B4
Telephone 613/549-8000

DAVIES LOUNGE

3	only	Sofas	Model 1522 - DuBarry @527. ea.	\$1581.00
			Col. #14 - Spec. Fabric Grenoble	
			Frame - Champagne	
14	only	Chairs	Model 1522- DuBarry @277. ea	3878.00
			Col. as below - Spec. Fabric Grenoble	
			6 - # 4	
			4 - # 7	
			4 - # 13	
			Frames - Champagne	
4	only	Coffee Tables	Model 1522 @136, ea.	544.00
			Col. Bronze glass	
			Frame - Champagne	
12	only	Stools	Model 700/ 101 - Kinetics @50.ea. net	600.00 net
			Col. KK01	
10	only	Ash urns/waste receptacles	Bus. Access. @79. ea.	790.00
			Col. White 12"-Open top 212-620	
			One (1) hole cut in side 000-645	
				\$7393.00
			Less 10%	679.30
				\$6713.70

Provincial sales tax not included

...2/

Accepted _____ Date _____

page ...2/

GRAND THEATRE
Kingston, Ontario

SCHEDULE "A" REPORT NO. 63 (Page 2)

Residential Commercial
Chairs Tables Lamps Fabric
Drapery Carpeting Wallpaper Rugs
Bed and Bath Accessories plus

May 22, 1979

**design
plus**

A Division of 401669 Ontario Limited

300 King Street East
Kingston, Ontario
K7L 3B4
Telephone 613/549-8000

FURNISHINGS
MASTER PURCHASE ORDER

MANAGER'S OFFICE

1	only	Desk - Model 2003- Aprons & Legs 72"x30"x29" Col. 5110 Tan	\$ 246.00
4	only	Shelves - @80. ea. Special order - Aprons & Legs Col. 5110 Tan	320.00
3	only	Chairs - Cesca @120.ea. Natural/cane seat Without arms	360.00
2	only	Letter trays - Business Access. @12. Contour- plastic Col. 253 - 200	24.00
1	only	Console Organizer - Bus. Acc. @18. Contour plastic Col. 253- 435	18.00
2	only	Ash tray - Bus, Access. @10. ea. Contour plastic Col. 235-404	20.00
1	only	Waste basket - Bus. Access. @15. Col. 253-500 Brown Round Basket	15.00
			\$
			\$1003.00
Less 10%			100.30
			\$ 902.70

Provincial Sales tax not included

Accepted _____ Date _____

MAY 30 1979

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date - May 30, 1979

Subject Tender 79-20 - Hopper Type Aggregate Spreader

Origin Provision for the purchase of two Hopper Type Aggregate Spreaders (Sanders) was included in the 1979 Current Budget as approved.

Three tenders were received as follows -

Industrial Tractor Inc	\$10,600 net after trade
Keeler Sales and Service	\$10,726 " " "
Marmac Hydraulics	\$ 9,200 " " "

Analysis The report of the Director of Purchasing is attached. He notes that all units are the same so that the price is the major criterion.

The Works Department have been using this type of equipment for some years. It has been quite satisfactory particularly for the ease and speed of mounting and dis-mounting on a truck.

Existing Policy The lowest tender is accepted unless there is justification for doing otherwise.

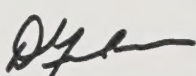
The Director of Purchasing has recommended the lowest tender.

No other Departments or Agency is involved.

Financial The Current Budget provides for using \$9,000. from the Reserve for Equipment Replacement to purchase two Sanders. An additional \$200. is needed. Included in the vehicle tender which was not accepted were two Works' vehicles - a 1/2 ton and a station wagon. The Current Budget provides \$5,800. from the replacement fund for the replacement of the wagon.

Recommendation That the tender of Marmac Hydraulics to supply two Hopper Type Aggregate Spreaders at a net cost of \$9,200. be accepted and that the additional funding of \$200. be taken from the provision for replacing a station wagon, the replacement of the station wagon to be reconsidered in the Fall prior to the vehicle tender recall.

DG/gg
att.


D. Graham, P.Eng
Commissioner of Works

SUMMARY OF TENDER NO. 79-20

for

HOPPER TYPE AGGREGATE SPREADER

PERIOD OF USE: Indefinite
METHOD OF INVITATION: Public & Individual Notices
NO. OF INVITATIONS SENT: 20

DATE OF CALLING: April 25, 1979
DATE OF CLOSING: May 9, 1979
NO. OF TENDERS RECEIVED: 3

QUANTITY	DESCRIPTION	MARMAC HYDRAULICS	INDUSTRIAL TRACTOR INC.	KEELER SALES & SERVICE
2	(NEW) HOPPER TYPE AGGREGATE MATERIAL SPREADERS MAKE MODEL NO.	11,000.00 Dumco 750	10,600.00 Dumco 750	11,676.00 Dumco 750
2	LESS TRADE ALLOWANCE FOR: 1971 Dumco 750 Sanders FEDERAL SALES TAX TOTAL T.E.P. (DELIVERED)	1,800.00 Exempt 9,200.00	- Exempt 10,600.00	950.00 Exempt 10,726.00

REMARKS

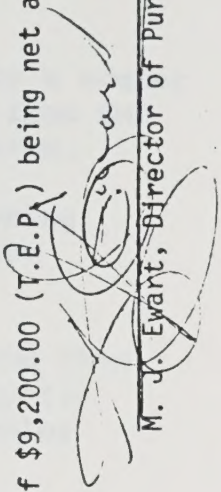
The foregoing tabulation is a summary of all tenders received in response to Tender No. 79-20, for the subject equipment. All three bids are based on the same unit, establishing price as the logical criterion in their consideration towards acceptance. The type of sander covered by the herein recommendation was incepted into use in 1971 and is considered to provide greater versatility of function and is regarded as operationally superior to former counterparts. The describing of the unit as an aggregate spreader places it within a grey area of classification respecting Ontario Retail Sales Tax applicability.

RECOMMENDATION

It is recommended for consideration that the tender of MARMAC HYDRAULICS, in the amount of \$9,200.00 (T.E.P.) being net after trade be accepted, being the lowest tender received.

MJE/jg

Respectfully submitted,


M. J. Ewart, Director of Purchasing

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date - May 30, 1979

Subject Tender 79-21 Sidewalk Snow plows

Origin Provision for the purchase of three sidewalk track-type snow plows was included in the 1979 Current Budget as approved.

The Director of Purchasing dispatched tenders to a number of potential sources. One tender was received from SMI Limited, in the amount of \$55,494.08 with trade-in.

Analysis The attached letter from the Director of Purchasing states that Bombardier enjoys a somewhat captive position.

We have used Bombardiers for many years and found them most effective except in deep snow. They are by far the most widely used piece of sidewalk snow plowing equipment.

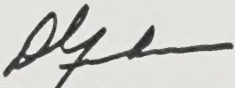
Existing Policy The lowest tender is accepted unless there is justification for doing otherwise. From the report of the Director of Purchasing, it appears that there is only one supplier.

No other Departments or Agencies are involved.

Financial The Current Budget provides for using \$51,000.00 from the Reserve for Equipment Replacement to purchase 3 Bombardiers. An additional \$4,494.08 is needed.

Included in the vehicle tender which was not accepted were 2 Works' vehicles - a 1/2 ton and a station wagon. The Current Budget provided \$5,800.00 from the replacement fund for the replacement of the station wagon.

Recommendation That the tender of S.M.I. Limited to supply three Bombardier track-type sidewalk snow plows at a net cost of \$55,494.08 be accepted, and that the additional funding of \$4,494.08 be taken from the provision for replacing a station wagon, the replacement of the station wagon to be reconsidered in the fall prior to the vehicle tender recall.


D. Graham, P. Eng
Commissioner of Works

DG/gg
att.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

CITY HALL
KINGSTON, ONTARIO
K7L 2T5
TEL. 546 4201

Director of Purchasing.

May 25, 1979.

MEMORANDUM

TO: Mr. D. Graham, Commissioner of Works
FROM: Mr. M. J. Ewart, Director of Purchasing
SUBJECT: Tender No. 79-21/Sidewalk Snowplows

One tender only, as setout hereunder, was received in response to the subject invitation for three track-type sidewalk snowplows.

SMI LIMITED 3 @20,288.00 each - \$60,864.00

Less Trade Allowance for:

3 SW54 Bombardier units for total of - 9,000.00

Net Difference 51,864.00

Federal Sales Tax Exempt

Provincial Sales Tax 3,630.48

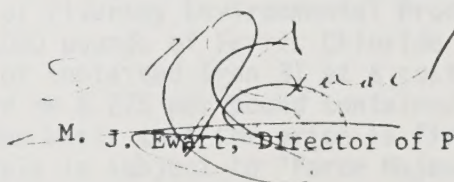
TOTAL 55,494.48

The tender was despatched to twenty-two potential sources of supply in an endeavour to determine whether or not any counterpart of the Bombardier unit has been introduced to the market.

While Bombardier enjoy a somewhat captive position, it is felt that the price tendered by SMI Limited is reasonably competitive. The units are to be supplied with one 48" V plow, and one 58" straight manual angle blade.

It is of moment that SMI Limited have, over the past thirty years, serviced the Corporation's account with despatch, and that they indicate a \$172,000.00 parts inventory in Ontario.

Yours very truly,


M. J. Ewart, Director of Purchasing.

MJE/jg

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date - May 25, 1979

SUBJECT Tender 79-24 for Ferric Chloride Solution

ORIGIN Purchasing Department - to fill needs of the Public Works Department. This is a chemical used at the Water Pollution Control Plant in the removal of phosphate from the sewage.

ANALYSIS A memorandum from the Director of Purchasing is attached. Amount - 1,600,000 lbs. or solution of 550,880 lbs. of contained Iron 3. Several invitations to tender were sent out. Some firms replied that they could not fulfil the City's requirements.

TENDERS

Diversey Environmental Products Ltd	
based on \$.275 /lb. contained Iron 3	\$151,492
Pennwalt Canada Ltd.	
based on \$.40/lb. contained Iron 3	\$220,352

EXISTING POLICY Diversey Ltd. is our present supplier and is quite satisfactory.

The lowest tender is recommended for acceptance unless there is justification for doing otherwise. The Public Works Department concur in the recommendation of the Director of Purchasing.

No other departments or agencies are involved.

FINANCIAL The lower tender is about 8% above the present price. The increase is not unreasonable. It is anticipated that the funds in the 1979 Current Budget in the amount of \$118,000 will be adequate if the lower is accepted.

RECOMMENDATION That the tender of Diversey Environmental Products Ltd. to supply 1,600,000 pounds of Ferric Chloride (550,800 pounds of contained Iron 3) at a cost of \$151,492.00 based on \$.275 per pound contained Iron 3, be accepted on the basis that the price is firm for one year and the supply is subject to "Force Majeure Clause", being the lower tender received.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

CITY HALL
KINGSTON, ONTARIO

Director of Purchasing.

May 22, 1979.

MEMORANDUM

MAY 23 1979

TO: Secretary, Public Works Committee
FROM: Mr. M. J. Ewart, Director of Purchasing
RE: Tender No. 79-24/Ferric Chloride Solution

Two tenders only, as setout hereunder, have been received in response to the subject invitation which was circulated to some nineteen potential sources of supply.

DIVERSEY ENVIRONMENTAL LTD. \$151,492.00
(Based on \$.275 per lb. contained Iron 3)

PENNWALT CANADA LTD. \$220,352.00
(Based on \$.40 per lb. contained Iron 3)

The foregoing is based on 1,600,000 lbs. Ferric Chloride Solution or nominally 550,880 lbs. of contained Iron 3.

Prices as setout are firm for a period of one year. Supply is, however, subject to "Force Majeure Clause".

It is recommended for consideration that the tender of DIVERSEY ENVIRONMENTAL PRODUCTS LIMITED be accepted, being the lower tender received.

Respectfully submitted,

M. J. Ewart,
Director of Purchasing.

MJE/jg

NOTE - Current contract price is \$.255, ending June 1979).

M E M O R A N D U M

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

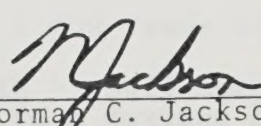
DATE: May 22, 1979

RE: Amendments to By-Law No. 2958 - Signs

Late in the year 1978 I was asked by the Community Services Committee to prepare amendments to the signs by-law. I have met several times with Mr. Muirhead and Mr. Ruttan and have received copies of by-laws from Guelph, Ottawa, London and Windsor. Ottawa and Guelph have very detailed by-laws and it was felt by the above named that the direction given was not to prepare a completely new by-law, but to strengthen the existing by-law. It was also thought to be recommendable that some of the detail could be left out of the signs by-law and applied instead through the City's development control process.

At the present time, By-Law No. 8499 in paragraph (iii) of clause (c) of Section 5.30 exempts signs from development control. The legislation under the provisions of The Planning Act, does not, in my opinion, allow the municipality to regulate free standing signs under development control, but where signs are a part of the exterior facade of the building, they could be regulated under development control, insofar as they form part of the required perspective drawings. As a result, Mr. Muirhead agreed to propose changes to the zoning by-law, No. 8499, to repeal the exception in respect of signs in Section 5.30 and as well, to amend the definition of structure to include signs which are part of the building so that there would be some regulation of signs under development control. I understand that such amendments will be proposed in due time through the Planning Board.

The amendments that have been made in the draft by-law enclosed herewith are to provide for definitions where none existed and to revise the by-law in light of changes that have been made necessary through the enactment of The Ontario Building Code. The signs by-law, By-Law No. 2958, contained certain inconsistencies with The Ontario Building Code and the Building Code, being a Provincial statute, would take precedence. The by-law was changed to provide for the new enabling authority that exists in The Municipal Act and to provide a new fee structure suggested by the Chief Building Official and concurred in by the City Treasurer. The fee structure is similar to that contained in other signs by-laws of other cities. I attach herewith Section 3 of By-Law No. 2958 showing the previous fee structure in order that a comparison can be made with the new fee structure. As well, I have included a penalty section providing for a fine of up to a maximum of \$1,000.00 in the event of any breach of the provisions the by-law. There previously was no penalty section in the by-law, although the penalty provisions of the general by-law would have had application. Certain exemptions contained in By-Law No. 2958 which are no longer applicable because the businesses were no longer at the location in question were repealed as well.


Norman C. Jackson,
City Solicitor

BY-LAW NO. 79-

A BY-LAW TO AMEND BY-LAW NO. 2958, "A BY-LAW TO PROVIDE FOR THE REGULATION, CONTROL, INSPECTION AND THE LICENSING OF SIGNS".

PASSED:

The Council of The Corporation of the City of Kingston enacts as follows:

1. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by deleting the word "Subsection" from the first recital and by substituting therefor the word "Clause", so that the first recital shall now read as follows:

WHEREAS Section 354(1) Clause 126 of The Municipal Act, R.S.O. 1970, Chapter 284, authorizes the Councils of local municipalities to pass by-laws for prohibiting or regulating the erection of signs or other advertising devices and the posting of notices on buildings or vacant lots within any defined area or areas or on land abutting on any highway or part of a highway;

2. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by adding the following recital as the third recital:

AND WHEREAS Clauses 126(a), 126(b) and 126(c) of Subsection 1 of Section 354 of the aforesaid Act authorize Councils to define classes of signs and the period of time such signs may be displayed and to require the alteration or repair of signs and to provide the charges for fees for the inspection and approval of such signs and for the pulling down or removal of signs displayed in contravention of the by-law;

3. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by deleting the words "more than 12 inches" from Subsection (r) of Section 1 and by substituting therefor the words "up to a maximum of 30 inches", so that Subsection (r) of Section 1 now reads as follows:

(r) Projecting double-faced building sign - shall mean a double-faced sign which projects up to a maximum of 30 inches over public property, and which uses a building wall as its main source of support.

4. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by adding the following subsections to Section 1:

- (z) Billboard - shall mean a third party off-premises sign on a standardized structure which advertises goods, products, services or facilities, or directs persons to a different location from that upon which the sign is located.
- (aa) Portable sign - shall mean and include any sign or advertising device not permanently attached to or affixed into the ground, to a building or structure, or any sign or advertising device resting upon or attached to any moveable device.

5. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by deleting the words "Building Inspector" from Section 2 and by substituting therefor the words "Chief Building Official or designate so that Section 2 now reads as follows:

The owner of the land on which it is proposed to maintain and use a sign shall submit proper plans and specifications for the sign to the Chief Building Official or designate for his examination and no person shall erect or cause to be erected or maintained in the City of Kingston any sign until a permit for it shall have been obtained from the Chief Building Official or designate; and no permit shall be granted by the Chief Building Official or designate until the owner has signed an agreement to assume the defence of and save harmless the Corporation and its officers and agents from all claims relating to the erection and maintenance of said sign. No permit shall be granted by the Chief Building Official or designate until he is satisfied that the structure of the building will carry the additional loads and stresses imposed by the proposed sign.

6. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by repealing Section 3 and by substituting therefor the following:

3. Fees

- (a) The fees as prescribed in Subsection (b) hereof, shall be payable on the filing of the application for a permit and the Chief Building Official or designate shall not
 - (i) process the application for a permit, or
 - (ii) process an amendment to a permit,unless the City Treasurer is in receipt of the prescribed fees.

(b) Permit fees shall be:

- (i) except as provided in paragraphs (ii) and (iii) hereof, the greater of \$15.00 per sign or 30¢ per square foot of sign face, for signs having a sign face or faces up to 300 square feet in aggregate area plus, for signs having a sign face or faces exceeding 300 square feet in aggregate area, 20¢ per square foot of sign face for that portion of the total area exceeding 300 square feet,
- (ii) to replace a sign face or relocate an existing sign, \$15.00 per sign or 15¢ per square foot of sign face, whichever is the greater,
- (iii) for a temporary permit, the greater of \$15.00 per sign or 10¢ per square foot of sign face per month or portion thereof that the sign is to be existent on the premises.

(c) In addition to the permit fees prescribed by Subsection (b) hereof, if a sign projects, or is located, in whole or in part, over or on property of the Corporation, and such sign is permitted by the Corporation and complies with this by-law, an additional fee equal to the amount prescribed by Subsection (b) hereof shall be payable. Permits for signs which project, or are located, in whole or in part, over or on property of the Corporation, and which are permitted by the Corporation and comply with this by-law, must be renewed annually and permit fees equal to the amount prescribed by Subsection (b) hereof shall be payable at the time of the renewal of the permit.

(d) When requested by the applicant in the case of non-commencement of all or a portion of the project or in the case of the abandonment of the permit application prior to permit issue, the Chief Building Official or designate shall determine, based on the percentage of the work actually completed, the amount of refund of permit fees, if any, that may be returned to the applicant but in no case shall an amount determined to be less than \$15.00 be refunded.

7. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by repealing Section 4 and by substituting the following therefor:

4. Issue of Permit

When the requirements of this by-law and the applicable development control requirements of the zoning by-laws have been complied with and when the necessary fees have been paid, the Chief Building Official or designate shall issue a permit for the erection of the sign.

8. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by repealing Section 5.

9. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by deleting the words "by a qualified person" from the last sentence of Section 6, so that the last sentence of Section 6 now reads as follows: "No licence shall be renewed for any sign until the owner of the sign presents a certificate signed that the sign is in a safe condition.".

10. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by repealing Section 7 and by substituting the following therefor:

7. The Corporation of the City of Kingston shall arrange for a policy of comprehensive public liability insurance in respect of the projection of a sign onto City property.

11. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by deleting the word "nine" from the first line of the first paragraph of Subsection (d) of Section 8; and by substituting therefor the figure "18". Subsection (d) of Section 8 is hereby further amended by deleting the figure "9" from the first line of the second paragraph and by substituting therefor the figure "8".

12. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by deleting the words "Building By-Law" from Section 10 and by substituting therefor the words "Ontario Building Code".

13. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by adding the following words to paragraphs (a) and (b) of Subsection 2 of Section 18, "and shall be in accordance with the Ontario Building Code", so that paragraphs (a) and (b) of Subsection 2 of Section 18 now read as follows:

- (a) No sign of any kind shall be attached to or placed upon a building in such manner so as to obstruct any door, window or fire escape or any window or door leading thereto, or any ventilating system, nor shall any sign be attached in any form, shape or manner to a fire escape (1958), and shall be in accordance with the Ontario Building Code.
- (b) No wall sign shall extend more than 24 inches beyond the building and shall be attached to a wall at a height of not less than 7 feet above the grade line or not less than 15 feet 6 inches above the grade line of any alley, and shall not extend more than 3 feet above the parapet wall or roof level (1958), and shall be in accordance with the Ontario Building Code.

14. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulating, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by repealing paragraph (b) of Subsection 1 of Section 19 and by substituting therefor the following:

- (b) No bill board sign shall be closer to the street line than the established building line in accordance with the provisions of the zoning by-laws as amended, or 25 feet, whichever is the greater.

15. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulating, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by repealing the second paragraph of paragraph (f) of Subsection 1 of Section 19.

16. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulating, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by deleting the words "Building Inspector" from Section 20 and by substituting therefor the words "Chief Building Official or designate

17. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by deleting the words "Building Inspector" wherever they appear in Section 21 and by substituting therefor the words "Chief Building Official or designate".

18. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by repealing Subsection (1) of Section 22 and by substituting therefor the following:

- (1) Any sign, whether or not it was erected under a permit from the Chief Building Official or designate, shall be removed within 30 days if so ordered by the Chief Building Official or designate in accordance with the provisions of this by-law.

19. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by deleting the words "Building Inspector" from Subsection (2) of Section 22 wherever they appear, and by substituting therefor the words "Chief Building Official or designate".

20. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by deleting the words "Building Inspector" from Section 23 wherever they appear, and by substituting therefor the words "Chief Building Official or designate".

21. By-Law No. 2958 of The Corporation of the City of Kingston entitled "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs", as amended, is hereby further amended by adding the following sections:

27. No person shall erect or cause to be erected any sign where a permit is required in accordance with this by-law without first obtaining a permit from the Chief Building Official or designate.

28. In the event of any conflict between the provisions of this by-law and the provisions of The Ontario Building Code, the provisions of The Ontario Building Code shall take precedence and prevail.
29. Any person who fails to conform for the provisions of this by-law shall be guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not more than \$1,000.00, exclusive of costs.

22. This by-law shall come into force and take effect on its passing.

GIVEN FIRST AND SECOND READINGS

GIVEN THIRD READING AND FINALLY PASSED

CITY CLERK

MAYOR

THIS AGREEMENT made in duplicate the 7th day of May, 1979.

B E T W E E N:

THE GRENVILLE PARK CO-OPERATIVE HOUSING ASSOCIATION LIMITED, a company incorporated under the laws of the Province of Ontario, and having its head office located in the City of Kingston,

Hereinafter called the "Co-Op"

OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF KINGSTON,

Hereinafter called the "City"

OF THE SECOND PART

WHEREAS the Co-Op sold to the City an 85 foot strip of land located on the westerly boundary of property presently owned by Extendicare and the Conservation Authority but retained a one foot strip to ensure that development to the west of this one foot reserve was compatible with the Co-Op development;

AND WHEREAS the Co-Op previously released a portion of its one foot reserve in Instrument No. 304715 in order to allow a commercial development to take place on the lands described as Part 2 on Reference Plan 13-R-2923;

AND WHEREAS a residential development is now proposed and the City requires a further release of a portion of the remaining one foot reserve abutting the lands described as Parts 1, 2, 3 and 4 on Reference Plan 13-R-3577 in order to permit access to the residential development;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE (\$1.00) DOLLAR of lawful money of Canada paid by the City to the Co-Op, (the receipt of which is

- 2 -

hereby acknowledged), and other good and valuable consideration and in consideration of the following conditions, it is hereby agreed as follows:

1. The Co-Op shall convey to the City that portion of the one foot reserve abutting the lands to be developed residentially running 300 feet from the beginning of the residential development and as more particularly described in Schedule "A" attached hereto.
2. The balance of the one foot reserve owned by the Co-Op extending north shall remain in the ownership of the Co-Op, but the Co-Op shall grant a perpetual surface easement to The Corporation of the City of Kingston in order to permit unrestricted pedestrian access into McKibbin Park. The easement shall also permit the City to cross the one foot reserve with City vehicles to maintain McKibbin Park as required.
3. The conveyance of the one foot reserve described in Schedule "A" hereto shall be in consideration of the sum of \$1.00 and other good and valuable consideration, being the undertakings made by the City in this agreement, and shall take place upon the execution of this agreement and its registration on title.
4. The City covenants and agrees that there shall be no further extension of the Queen Mary Road allowance beyond a point 590.64 feet northwesterly from Bath Road, plus a turning circle or T-junction at the northerly end of the pavement. This extension of Queen Mary Road shall be opened in order to permit the residential development of the lands described in Schedule "B" attached hereto.
5. The residential development of the lands described as Parts 1, 2, 3 and 4 on Reference Plan 13-R-3577 shall be in

- 3 -

accordance with the requirements of development control as approved of by City Council.

6. This agreement shall be registered against the lands to be residentially developed described as Parts 1, 2, 3 and 4 on Reference Plan 13-R-3577 and more particularly described in Schedule "B" hereto, at the expense of the City.

7. The City covenants and agrees that should the present or any future developer request any substantial change in the development plans approved of by City Council on April 23, 1978 submitted by Bob Martin Construction Limited, numbered:

Plan #1	Site Plan - Scale: 1"=40' - Revised, December, 1978
Plan #LS1	Landscaping - Scale: 1"=40' - January, 1979
Plan #3	Ground Floor Plan - Building 'A' Scale 1/8"=1' - November 30, 1978;
Plan #4	Typical Floor Plan - Building 'A' Scale 1/8"=1' - November 30, 1978;
Plan #6	Ground Floor Plan - Building 'B' Scale 1/8"=1' - November 30, 1978;
Plan #7	Typical Floor Plan - Building 'B' Scale 1/8"=1' - November 30, 1978;
Plan #9	East & West Elevations - Building 'A' Scale 1/8"=1' - November 30, 1978;
Plan #10	South Elevation - Building 'B' Scale 1/8"=1' - November 30, 1978;
Plan #11	Elevations & Cross Sections Buildings 'A' and 'B' - November, 1978;

that the Co-Op shall be advised and consulted prior to any change in the plans being approved by City Council.

8. All legal survey and registration costs arising out of this agreement shall be borne by the City.

9. This agreement shall be binding upon and the benefits and burdens shall enure to the benefit of the parties hereto and their respective heirs, executors, administrators and assigns,

- 4 -

and shall be for the benefit of the land of The Corporation of the City of Kingston described as Parts 1, 2, 3 and 4 on Reference Plan 13-R-3577.

IN WITNESS WHEREOF the parties hereto have hereunto set
their hands and seals.

SIGNED, SEALED and DELIVERED)
in the presence of)

THE GRENVILLE PARK CO-OPERATIVE
HOUSING ASSOCIATION LIMITED

Per: _____
President

President

Secretary

THE CORPORATION OF THE CITY OF
KINGSTON

Per: _____
Mayor

Mayor

City Clerk

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, (formerly in the Township of Kingston), in the County of Frontenac, and being composed of Part of Farm Lot 16, Concession 2 in the said City, which said parcel or tract of land is more particularly described as follows:

PREMISING that all bearings herein are astronomic and are referred to Plan 13-R-3577;

COMMENCING at an iron survey bar marking the southwest corner of Part 5 of Plan 13-R-3577;

THENCE North 2 degrees 47 minutes 0 seconds west along the westerly limit of the said Part 5 a distance of 300.0 feet;

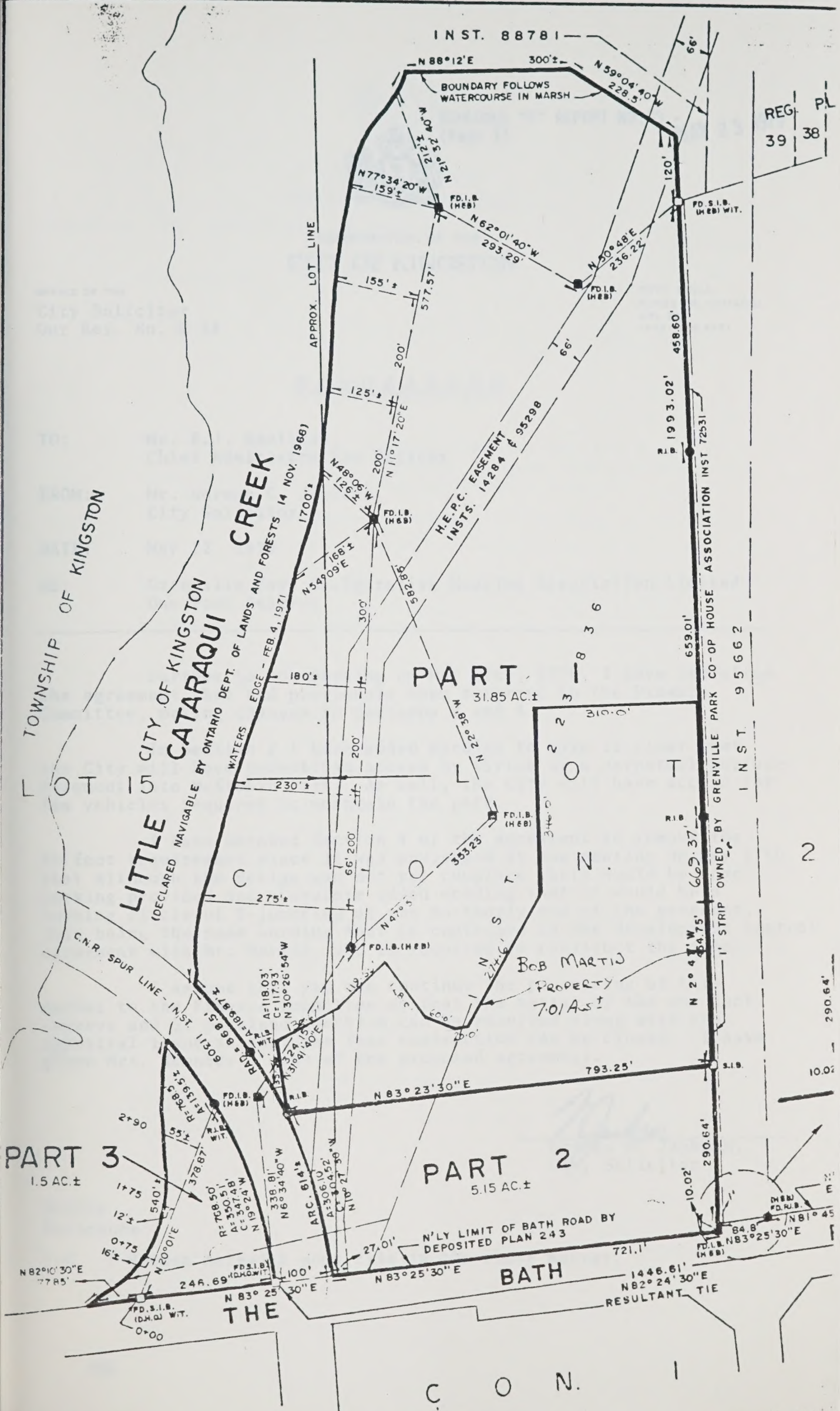
THENCE North 87 degrees 13 minutes 0 seconds East a distance of 1.0 foot to a point in the easterly limit of Part 5 of Plan 13-R-3577;

THENCE South 2 degrees 47 minutes 0 seconds East along the easterly limit of the said Part 5 a distance of 300.0 feet to the southeast corner of Part 5 of Plan 13-R-3577;

THENCE South 83 degrees 25 minutes 30 seconds West along the southern limit of Part 5 of Plan 13-R-3577 a distance of 1.0 foot to the Point of Commencement.

SCHEDULE "B"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Kingston in the County of Frontenac, being composed of Part of Lots 15 and 16, Concession 2, designated as Parts 1, 2, 3 and 4 on Reference Plan 13-R-3577.



MAY 23 1979



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Solicitor
Our Ref. No. L-54

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

M E M O R A N D U M

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: May 22, 1979

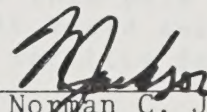
RE: Grenville Park Co-Operative Housing Association Limited
One Foot Reserve

Further to our meeting on May 17th, 1979, I have redrafted the agreement that had previously been referred to the Finance Committee, making changes to Sections 2 and 4.

In Section 2 I have added wording to make it clear that the City will have pedestrian access by virtue of a perpetual surface easement into McKibbin Park. As well, the City will have access for its vehicles required to maintain the park.

I have amended Section 4 of the agreement to remove the 25 foot requirement since it was envisaged at the meeting on May 17th that although the design was not yet complete there would be some parking provided and therefore added wording that it would be a turning circle of T-junction at the northerly end of the pavement, this being the same wording that is contained in the development control agreement with Mr. Martin, who is required to construct the same.

I assume that you can continue the processing of this matter to the Finance Committee so that the matter of the one foot reserve and 5% parkland question can be resolved along with the appraisal issue so that the land transaction can be closed. I have given Mrs. Kennedy a copy of the proposed agreement.


Norman C. Jackson,
City Solicitor

NCJ/ks
Enclosure

P.S. I return herewith your file in the above matter.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 12-2.50

May 17, 1979

M E M O R A N D U M

Meeting with Messrs. Jackson, Fluhrer and Hamilton
and Mr. T.J. McKibbin and Mrs. Kennedy from The Grenville
Park Co-operative Housing Association Limited

Re: One Foot Reserve Conveyance to the City of Kingston

The question of conveyance of the one foot strip
by the Grenville Park Co-Operative Housing Association to
the City of Kingston was discussed at some length and Mrs.
Kennedy agreed that the One Foot reserve abutting the lands
to be residentially developed by Mr. Martin would be lifted
allowing Mr. Martin to gain access and egress into his
development.

The Grenville Park Co-Operative also were prepared
to commit in writing that the pedestrians be allowed public
access over the remaining one foot reserve to allow them
entry into McKibbin Park.

It was suggested by Mr. Fluhrer that the road allow-
ance for Queen Mary Road which extended beyond the entry to
Mr. Martin's property, would be used as a cul-de-sac to
enable people to park along the cul-de-sac as well as allowing
the traffic a proper turning around point.

It was expected that there could be a man made
barrier of some kind around the cul-de-sac to limit vehicular
movement on the park. However, there would be access by
the pedestrian public from this point.

Mr. Linseman will be approached to draw up a
design of a cul-de-sac using the available right-of-way
for this purpose.

It was further suggested that this park is a
natural conservation park and as such it would seem
logical to continue it as this kind of facility for
future purposes.

RJH/sd

R.J. Hamilton
R.J. Hamilton,
C.A.O.

June 4, 1979

REPORTS (Cont'd)

Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That Report No. 64 of the Chief Administrative Officer be considered.

CHIEF ADMINISTRATIVE OFFICER - 1 REPORT NO. 64 JUNE 4/79.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-11.2

May 31, 1979

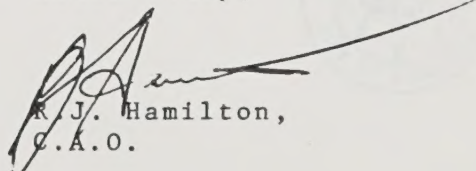
M E M O R A N D U M

TO: Mayor Keyes and Members of Council
FROM: R.J. Hamilton, C.A.O.
RE: BUS SERVICE - LAKE ONTARIO PARK

We are forwarding herewith correspondence the City Parks and Recreation Department had with the Public Utilities Commission concerning the possibility of having bus service directly into Lake Ontario Park.

Council will note that in Mr. Fluhrer's letter of May 30, 1979, that he is not prepared to recommend to Council the request for an additional \$4,000. for this purpose. We therefore suggest that Council would accept Mr. Fluhrer's position and so notify the Public Utilities Commission.

Yours truly,


R.J. Hamilton,
C.A.O.

RH/sd
Encl.

MAY 20 1979

MEMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

TO: R. J. Hamilton, C.A.O.

FROM: Douglas R. Fluhrer, Commissioner.

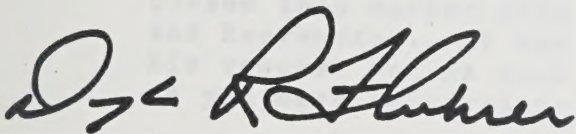
DATE: May 30, 1979.

RE: BUS SERVICE - LAKE ONTARIO PARK

Further to our discussion and correspondence regarding the above I would like to add the following information and recommendation.

The P.U.C.'s latest offer, which incidentally was not initiated by me but rather by Commissioner Gordon Allmark, is not acceptable in my judgement.

First, I could not justify asking Council for the \$4,000. when I am of the opinion that a reworking of existing routes would resolve the problem. Secondly, the hours of service proposed do not really meet all the needs. Therefore, I recommend that we do not accept this offer and we will continue in our efforts to find alternate ways and means to resolve this problem.



Douglas R. Fluhrer,
Commissioner.

DRF/sw

c.c. Lee Shipp



Chief Administrative Officer

Our Ref. No. 17-11.2

May 25, 1979

Public Utilities Commission
of the City of Kingston,
Counter Street at Lappan's Lane,
P.O. Box 790,
KINGSTON, Ontario.
K7L 4X7.

Attention: Mr. J.K. Fee, P.Eng.,
General Manager.

re: Bus Service to Lake Ontario Park
July and August, 1979

Dear Mr. Fee:

Further to your letter of May 24, 1979, I discussed this matter with Mr. Fluhrer, Commissioner of Parks and Recreation. It was indicated that he is withdrawing his request and as such this matter need not go to Council as you have referred to in your last paragraph.

Thank you for your consideration of this matter.

Yours truly,

R.J. Hamilton,
C.A.O.

RJH/sd

c.c.: Mr. D. Fluhrer,
Commissioner of Parks and Recreation.



PUBLIC UTILITIES COMMISSION

OF THE CITY OF KINGSTON

PHONE 546-1181

ELECTRIC GAS WATER AND TRANSIT SERVICES

K. FEE, P. ENG., GENERAL MANAGER
BOWIE, C.A., SECRETARY-TREASURER

COUNTER STREET
AT LAPPAN'S LANE
P.O. Box 790
KINGSTON, ONTARIO
K7L 4X7

File No. 80-20-250

1979 05 24

Mr. R. J. Hamilton,
Chief Administrative Officer,
Corporation of the City of Kingston,
City Hall,
Kingston, Ontario.
K7L 2Z3

Dear Mr. Hamilton:

Re: Bus Service to Lake Ontario Park -
July and August, 1979.

Requests from the Parks and Recreation Committee to provide bus service to Lake Ontario Park this summer had been considered by the Commission earlier this year. In each case the Commission decided that it was not feasible to extend regular-route service to the Park, but it would be prepared to provide a shuttle-bus service to connect with the regular-route service at St. Lawrence College, provided the cost was paid for by the City, or others. (Attached are copies of our correspondence to Mr. D. R. Fluhrer, Commissioner of Parks and Recreation, dated 1979 02 07 and 1979 04 03, for your information.)

At the request of a Commissioner, the matter was reconsidered by the Commission at its last meeting, and the Commission passed the following resolution:

"Ask the executive staff to make another approach to City Hall to secure its approval to incur approximately \$4,000. additional cost to the bus system to try a shuttle service from St. Lawrence College to Lake Ontario Park, from the July 1st weekend to and including Labour Day, 1979, excluding Sundays and statutory holidays. The service to be provided for five hours per day, six days per week, and that a speedy reply be requested so that the necessary arrangements can be made."

This proposal is being made to give citizens of Kingston, who do not have other means of transportation, an opportunity to travel to the Park and enjoy the benefits that the Park provides. The shuttle bus would connect with two regular routes, namely Division-Calvin Park and Kingscourt-Polson Park, at the college. The hours of service provided would probably be from 10:00 a.m. to 12:00 noon, and 1:00 p.m. to 3:45 p.m. daily, except Sundays and statutory holidays. Service to the Park in the evening is already provided by means of our evening Dial-A-Bus service, which operates from 6:30 p.m. to 11:00 p.m.

The additional cost of \$4,000. to provide the proposed trial shuttle-bus service would qualify for a 25% subsidy from the Ministry of Transportation & Communications under its standard subsidy program with the City.

It would be appreciated if you would present this request to City Council at the earliest opportunity, so that the Commission may be advised of Council's decision at the next meeting of the Commission scheduled for Monday, 1979 06 04.

Very truly yours,

J. K. Fee
J. K. Fee, P. Eng.,
General Manager.

575

File No. 80-20-250

1979 02 07

Mr. D. R. Fluhrer,
 Commissioner of Parks and Recreation,
 Corporation of the City of Kingston,
 City Hall,
 Kingston, Ontario.
 K7L 2Z3

Dear Mr. Fluhrer:

Re: Bus Service - Lake Ontario Park.

This refers to your letter of 1978 09 05 with respect to the request of the Parks and Recreation Committee to consider the extension of bus service to Lake Ontario Park during weekends from 1979 05 24 to 1979 09 03. It was suggested that this might be accomplished by revamping the routes so that a stop could be established on King Street at the entrance to the Park.

The request was considered by the Commission on 1979 02 05, and the following points were noted:

1. Regular bus service is not provided in the city on Sundays and statutory holidays; however, a number of trials to provide bus service to Lake Ontario Park on Sundays and statutory holidays have been carried out in past years, but with little success from a passenger or economic point of view.
2. The last trial service was in 1976, and the financial result for 13 days of operation was a revenue of \$123.00, with an operating cost of \$1,293.00, leaving a net loss of \$1,170.00.
3. An attempt was made in a previous year to extend the Polson Park route to the King Street entrance to the Park during days of regular bus service, and then have the bus proceed through the parking area of St. Lawrence College to the transfer point at the front entrance to the College. This trial was not a success because the passengers still had to walk approximately 1,200 feet to the centre of the Park, and there was no provision for the return trip without proceeding via bus to the Shopping Centre transfer point. As a result, the number of passengers carried was minimal.

....2

- 2 -

4. From a transit point of view, the most feasible way to provide service to the Park on Saturdays would be to run a shuttle service from the front entrance of St. Lawrence College where the Calvin Park and Polson Park routes converge travelling to the Shopping Centre and where the Division Street and Kingscourt routes converge travelling from the Shopping Centre to the Downtown. This shuttle service could operate on a 15-minute frequency with transfer privileges between all routes.

The Commission considered the above-mentioned points, and passed the following resolution:

"The Commission is not prepared to provide bus service to Lake Ontario Park as an extension of the regular route system, but it would be prepared to operate a shuttle bus service from the transfer point at the entrance to St. Lawrence College to the parking-lot area in the Park, with transfer privileges to regular routes. Such service to be provided on a charter basis with the cost to be provided for in the Parks and Recreation Department Budget and paid by the city."

The cost for a shuttle bus service on Saturdays would be \$75.00 per day for five hours of operation, say from 10:00 a.m. to 1:00 p.m. and 2:00 p.m. to 4:00 p.m. Evening Dial-A-Bus Service directly into the Park is available from 6:30 p.m. to 11:00 p.m. Monday to Saturday inclusive during the summer months.

The estimated cost to provide a bus service on Sundays and statutory holidays, i.e. 13 days during the summer, would be approximately \$1,880.00 for six hours operation per day. This higher cost is due to the fact that our current Collective Labour Agreement requires that operators be paid double time on Sundays and statutory holidays.

The Commission has finalized its Transit Operating Budget for the year 1979, and if your Committee wants service provided to the Park on Sundays and/or Saturdays on a charter basis, it is suggested that the financing for same be provided in the Committee's budget, with payment to be made by the City for such additional service.

Mr. Earl Blaney, Chairman of the Commission, would be pleased to meet with the Parks and Recreation Committee if it wishes to discuss the matter in more detail.

Very truly yours,

J. K. Fee, P.Eng.,
General Manager.

JKF:dn

C.C.: Mr. A. Bowie
Mr. A. Maxam

File No. 80-20-250

1979 04 03

Mr. Douglas R. Fluhrer,
Commissioner,
Parks & Recreation Committee,
City Hall,
Kingston, Ontario.
K7L 2Z3

Dear Mr. Fluhrer:

Re: Bus Service - Lake Ontario Park.

Your letter of 1979 03 19 regarding bus service to Lake Ontario Park, by modifying the regular routes presently going to St. Lawrence College, was considered by the Commission last evening.

The Commission concluded that it was not feasible to provide bus service to the Park as an extension of the regular route service for the reasons outlined in our letter to you dated 1979 02 07. However, it was suggested that perhaps Mr. Vivian, the amusement concessionaire at the Park, might be interested in paying for the cost of a shuttle bus service from the transfer point at the entrance to the College to the parking lot area in the Park. This shuttle service would connect with our regular route service at St. Lawrence College.

If this suggestion is of interest to Mr. Vivian, we would be pleased to meet with him to discuss the proposal in more detail.

Very truly yours,

J. K. Fee, P.Eng.,
General Manager.

JKF:dn

c.c.: Mr. A. Bowie
Mr. A. Maxam

Report No. 64 (Cont'd)

Moved by Ald. Hawkins,
Seconded by Ald. Webb,

That, as recommended by the the Chief Administrative Officer, no action be taken to provide the amount of \$4,000 to the Public Utilities Commission to operate a Shuttle Bus Service to Lake Ontario Park this summer be approved, and further that the Public Utilities Commission be so notified.

CARRIED

Ald. Lampropoulos opposed

COUNCIL

Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That the Report of the Committee of the Whole be adopted,
approved and confirmed.

CARRIED

MOTIONS

The following Motions were received at Council Meeting No. 21 as "Notices of Motion".

- (1) Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That blasting be prohibited within the Corporation of the City of Kingston, until an inspection of all residences within a number of feet to be determined by the respective Department Head has been carried out. This home inspection would be carried out by the City, the Contractor and the Home Owner (resident) to determine the condition of each home prior to the commencement of the blasting.

(REFERRED TO THE COMMISSIONER OF WORKS
for a report prior to consideration
of the Motion by Council)

- (2) Moved by Ald. Clements,
Seconded by Ald. Clark,

That the Traffic, Streets and Parking Administrator present a report two months after the Gorsline Lot becomes operational:

- 1) the implications of taking parking off Princess Street at rush hours; and
- 2) the parking situation between Division Street and the old traffic circle to include parking provided on side streets off of Princess Street and the present and future need for parking lots in this area.

(The Motion of Ald. Clements and Ald. Clark,
as amended, was referred to the Traffic &
Streets Administrator for a report prior to
consideration of Council.)

(See following Motion of Amendment)

MOTIONS (Cont'd)

Moved by Ald. Clark,
Seconded by Ald. Clements,

That Motion No. 2 be amended to delete the word "on" in the second sentence and substitute the words, "two months after the Gorsline Lot becomes operational on" and to delete the word "feasibility" from subsection (1) and substitute the word "implications".

CARRIED

- (3) Moved by Ald. Knapp,
Seconded by Ald. Miller,

That By-Law No. 24 be amended to provide:

- A) that residents on one or two family residential streets be exempt from the "no parking" restrictions on their own block of a street;
- B) that for purposes of identification, and to prevent abuse, residents be issued one residency sticker at a cost to be determined by the appropriate City Department, (to cover printing and labour costs)
- C) that they be allowed to apply for a second sticker for an additional surcharge;
- D) further, that this residency sticker expire simultaneously with the introduction of winter parking restrictions; and
- E) further, that application for these stickers be done annually.

*REFERRED TO TRAFFIC & STREETS ADMINISTRATOR
for a report prior to consideration by
Council*

Council consented to consider the following motion:

- (4) Moved by Ald. Timmins,
Seconded by Ald. Gorham,

That it shall be the policy of City Council that Notice of Motions shall be referred by the Mayor to the appropriate administrator for a report prior to consideration of the Notice of Motion by Council.

CARRIED

- (5) Moved by Ald. Hawkins,
Seconded by Ald. Matthews

That the sympathy of Council be extended to the family of the late Wilfred Pluard.

CARRIED

- (6) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That the congratulations of Council be extended to Miss Flora MacDonald, M.P. on her appointment as Secretary of State for External Affairs.

BYLAWS

Council consented to the deletion of the reference to Bylaw No. 9347 in the heading of Bylaw No. 4.

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Bylaws 1 to 5 be given their First and Second Readings.

CARRIED

- (B) Moved by Ald. Matthews,
Seconded by Ald. Tarnowecky,

That Rule No. 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 4 and 5 their Third Reading.

CARRIED

- (C) Moved by Ald. Timmins,
Seconded by Ald. Gerretsen,

That By-Laws 4 to 10 be given their Third Reading.

CARRIED

- (1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Permit Bell Canada Buildings and Facilities in All Zones).

(FIRST & SECOND READINGS)
Clause 1, Report No. 61

(Proposed No. 79-115)

- (2) A By-Law to Amend By-Law No. 2958, "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs".

(FIRST & SECOND READINGS)
(Clause 9, Report No. 63, 1979)

(Proposed No. 79-116)

- (3) A By-Law to Authorize the Construction of Improvements to Runway 06R-24L at the Norman Rogers Airport (General Rate).

(FIRST & SECOND READINGS)
Clause 13, Report No. 63, 1979.

(Proposed No. 79-117)

BY-LAWS (Cont'd)

- (4) A By-Law to Amend By-Law No. 8438, "A By-Law to Adopt a Redevelopment Plan for the City of Kingston Neighbourhood Improvement Area" (Revised Application "C" and Repeal of By-Law No. 9348).

(THREE READINGS)

(Proposed No. 79-118)

Clause 3, Report No. 61

- (5) A By-Law to Confirm the Proceedings of Council at its Meeting Held June 4, 1979.

(THREE READINGS)

(Proposed No. 79-119)

(City Council Meeting No. 22)

- (6) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act." (Clauses 4, 5, 10 & 13, Report No. 57).

(THIRD READING)

(Proposed No. 79-103)

Clauses 4, 5, 10, & 13, Report No. 57, 1979

(Note: Ministry of Transportation and Communications approval NOT required).

- (7) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act." (Clause 6, Report No. 57).

(THIRD READING)

(Proposed No. 79-104)

Clause 6, Report No. 57, 1979

(Note: Ministry of Transportation and Communications approval REQUIRED).

- (8) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of such Parking Meters". (Clause 6, Report No. 57).

(THIRD READING)

(Proposed No. 79-105)

Clause 6, Report No. 57, 1979

- (9) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, Supervise and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots." (Meter Rate: Gorsline Parking Lot)

(THIRD READING)

(Proposed No. 79-106)

Clause 6, Report No. 57, 1979

BY-LAWS (Cont'd)

(10)

"A By-Law to Authorize the Reconstruction of Storm Sewers in Brock Street from Palace Road to Westdale Avenue and in Westdale Avenue from Brock Street to Alamein Drive and Sanitary Sewer Replacement in Brock Street from Palace Road to Westdale Avenue and in Westdale Avenue from Brock Street to Alamein Drive (General Rate).

(THIRD READING)

Clause 6, Report No. 30, 1979

(Proposed No. 79-43)

* * *

UNFINISHED BUSINESS

Mayor Keyes said that theoretically the smoking by-law can be enforced now as it received third reading last Monday night. The by-law is basically self-policing. However, signs have to be placed in the buildings and people on staff are preparing them in the appropriate size and some will be printed. There will not be much enforcing of the by-law until the signs become available. Council will have to decide if the signs will be free or a nominal charge will be made.

Alderman Webb said that Clause 5, Report No. 63 had given the impression that the amount of \$7,616.40 was approved for furnishings for the Grand Theatre. However, no provision was made for the provincial sales tax. He, however, regarded this as an honest mistake.

Alderman Webb expressed concern about the reconstruction of streets. Streets are newly paved and within a very short period of time are torn up. A look should be taken at liaison between the Public Utilities Commission and other agencies to avoid this type of situation. He asked if it would be possible to stretch the City's reconstruction program to add to the lives of these streets. A report should be made on this some time during the summer months.

Alderman Webb said that he was under the impression that the Implementation Committee would die a natural death within the next few months. He now had the impression that the Implementation Committee was going to replace the powerful Finance Committee. If this is the case then nothing has been accomplished. He hoped that the Implementation Committee would be phased out in the near future as soon as the wrinkles in the Committee of the Whole have been ironed out, i.e. September 1st at the very latest.

Mayor Keyes said that the Implementation Committee would not function for very long. The Committee was working on the revision of the City by-laws.

Alderman Webb said that he was not expressing disrespect for the Committee. He asked if the revision of the City by-laws was within the terms of reference for the Committee.

Mayor Keyes confirmed that the revision of some of the City by-laws was within the terms of reference.

Alderman Clark said that the state of maintenance of homes in the City particularly in his ward is bad. He had received a number of complaints with regard to lawns and fences. Most of these properties involve absentee landlords and most are student accommodation. He had contacted the Property Standards Department but frankly he did not believe that this was enough. He would like to see the aldermen take more active roles. They should obtain addresses and contact the Property Standards Department. He would suggest that the citizens do the same.

UNFINISHED BUSINESS (Cont'd)

Alderman Clark said that he had received calls with regard to the noise by-law. At one time it was suggested there should be a notice in the paper that the City of Kingston has passed this by-law and it has been approved by the Ministry. He said that he believed such a notice should be placed in the paper.

Alderman Miller said that she was concerned about the whole matter of feedback with regard to property standards complaints. She had addressed a memorandum to the Chief Administrative Officer to find out how one gets information back after receiving a complaint. She said that unless she called back to find out she never found out what action was taken. At one time a report had been made each month. She was not sure if this report was still prepared but believed that it was a good idea.

Alderman Miller said that a letter was received from the Unemployment Help Centre. This letter had stated that people willing and able to work had been cut off welfare although they had been unable to find work. She had received a response to the letter from Mr. Routbard which was very general. He had pointed out that several people were cut off because they refused to get work. He also stated that municipal welfare is short term and not expected to be paid for a long duration. The letter suggested that there was a time limit with regard to welfare. She had believed that the policy was that people were cut off welfare if they were able to find work and refused to do so. She had not believed that there was any time limit involved. She asked for a copy of the relative sections of the General Welfare Assistance Act.

Alderman Lampropoulos said that members of the public are confused with regard to the smoking by-law and rightfully so. He suggested that a notice should be placed in the paper as soon as possible with regard to the signs and the enforcement of the by-law.

Alderman Lampropoulos said that he had attended the reception for the naming of the Davies Lounge at the Grand Theatre. A gentlemen had approached him and discussed the renovations to the theatre. He asked how much money was needed to complete the renovations at the theatre and he was told that another \$2,000,000 was required.

Mayor Keyes said that plans were drawn up for the complete renovations but there were not sufficient funds and certain proposals were deleted i.e. dressing rooms. Wintario had asked for plans for the long range and the Board worked on this.

Alderman Gerretsen said that the \$2,000,000 was related to another architectural plan some years ago when it was proposed to expand over the parking lot and had nothing to do with the present renovation plans. When the present contract was approved due to the tender amount, certain cutbacks were made which included the dressing rooms, washrooms downstairs, the downstairs lounge, etc. It is hoped that at some point and time in the future these items excluded from the contract could be done.

Alderman Gerretsen said that with regard to the comments made in connection with the Implementation Committee, he would have thought that changing by-laws would be an administrative matter. He was interested to see on the agenda for the meeting on Wednesday night, the motion dealt with at the last meeting of Council about the County Welfare System. He would have thought this should have been referred to the Welfare Administrator or two one or two aldermen, perhaps Alderman Miller and himself who were members of the Community Services Committee in past years to work on. He questioned what the Implementation Committee had to do with this matter. If the Committee is to deal with broad matters of this nature then some of the concerns expressed by Alderman Webb may well founded. He would have thought the Implementation Committee would have ceased when the Committee of the Whole commenced.

UNFINISHED BUSINESS (Cont'd)

Alderman Gerretsen said that he was concerned about the Property Standards By-Law and the way in which the by-law is applied. Maybe the elected people should have set a policy. It would appear that certain areas of the City are selected for application of the by-law. The Property Standards Officers could go out once a week for a period of three or four months and look for the worse properties and then issue orders. In some cases orders are issued on properties that are slightly below standard and the worst properties are not touched. The Property Standards By-Law has been enforced on a complaint basis. Perhaps the Council should establish a policy with regard to enforcement. He did not believe that it was the responsibility of Council members to go around the neighbourhoods and report properties to the Property Standards Department.

Alderman Gerretsen said that he would like to know how the staff handles a situation whereby a lawyer requests information with regard to a certain property as to whether it complies with the Property Standards By-Law. Also in some cases a lawyer will check the zoning of a certain property and it is found that although it is being used as a fourplex it is in a zone that permits only duplexes. Is this followed up by the Department? When a person applies for a loan under the RRAP or OHRP programs and it is found considerable work has to be done to bring the property up to standards and the person realizes that he can not afford to do the work, what is done with this information. It is nice to have by-laws and policies but unless Council knows how these are applied there may be injustice.

Mayor Keyes asked the Chief Administrative Officer to discuss with the Chief Building Inspector and the Property Standards Officers the questions asked by Alderman Gerretsen and come back to Council with information on current procedures and seek input from the Aldermen on the matter.

Alderman Clements said that he had received more complaints with regard to the noise by-law. He was of the opinion that this was to be discussed with the Chief of Police when he had raised the question before. He had talked to two officers who believed that they had read the noise by-law but no action was taken. He was concerned that the administration policy was to give the person creating the noise three warnings. He asked in what period the three warnings were given.

Alderman Clements asked that the By-Law Enforcement Officers look into the violations of the City by-law with regard to worm picking in the parks.

Alderman Timmins said that he had not appreciated the comments with regard to the Grand Theatre. This would be misleading to the general public.

Alderman McArthur said that he was concerned about the Committee of the Whole system. He had kept track of the time the aldermen had spoken. On the motion of Alderman Knapp and Alderman Miller, Alderman Knapp has spoken 14 minutes and 27 minutes were taken up the other aldermen in discussion. All this time on a motion that had not been presented to Council for discussion as yet.

Alderman McArthur said that people do not understand what is involved when applying for loans under the RRAP and OHRP programs. They apply for a loan, an inspection is done and then it is found that they can not afford to do the work. The report is handed over to the Property Standards Department and the people are then in a position of being ground in violation of the by-law and unable to afford the work involved.

Alderman McArthur said that the Landlord and Tenant Act has a great deal to do with the condition of the properties. Tenants abuse the properties and because of this Act, the landlords can not have them evicted without going to court.

Alderman Hawkins asked that the by-law requiring a person to obtain a \$10.00 building permit to reshingle their roof be reviewed with the view of having it repealed.

UNFINISHED BUSINESS (Cont'd)

Alderman Hawkins said that one of the citizens from the City had visited Calgary as a delegate to a convention and had found that the City gave passes to the delegates to use the public transit system. He asked that the Public Utilities Commission consider doing the same.

Alderman Tarnowecky said that he would like to express dissatisfaction with the discussion this evening with regard to the Grand Theatre. If the alderman involved has some questions he should have brought them to the Grand Theatre Board.

Alderman Tarnowecky said that as everyone knew, Folklore was this week-end. The Intercity Exchange Committee had arranged for group from Boucherville to perform. The group is called "les franginois". It is composed of young people between the ages of 16 and 22. They will perform at seven different pavillions during the week-end. Billets had been found for most of them but if members of Council or of the general public would like to billet some of these young people they should so inform City Hall.

Alderman Tarnowecky said that he believed it was the City of Saskatoon that provided the passes for the public transit.

Alderman Tarnowecky said that he had taken his son to Lake Ontario Park on the week-end and had noticed that the arcade is being used by families.

Alderman Tarnowecky extended congratulations to Mr. & Mrs. W. M. Schwenger who were celebrating their twenty-fifth wedding anniversary. Mrs. Schwenger has been a member and chairman of the Grand Theatre Board for many years.

Mayor Keyes extended the congratulations of Council to Mr. & Mrs. W. M. Schwenger.

ADJOURNMENT

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council do now adjourn.

CARRIED

Council adjourned at 10:50 p.m.

(L.S.)

(Signed) M.C. Healy
City Clerk

(Signed) Ken Keyes
Mayor



CITY COUNCIL MEETING NO. 23

The regular meeting of City Council was held on Monday, June 11, 1979 in the Council Chamber, City Hall at 7:10 p.m. His Worship Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Tarnowecky, Ald. Webb (13)

MINUTES

PETITIONS

COMMUNICATIONS

Council consented to the addition of Communication Nos. 322 to 328.

Filed

- (312) From the Limestone Golden Years Club thanking the City for its donation of \$2,500 to help with their taxes for the current year. (File No. 7-3)
- (313) From Keith C. Norton, Minister, M.P.P. Kingston and the Islands, thanking the City for the copies of the resolutions he received concerning Revenues from Lotteries (Clause 3, Report No. 55) and Aluminum Wiring (Clause 11, Report No. 55). (File No. 19-7).
- (314) From Keith C. Norton, Minister, M.P.P. Kingston and the Islands, thanking the City for the copy of the resolution he received concerning Firefighting, Fire Safety, Fire Prevention and Maintenance of Existing Buildings (Clause 7, Report No. 50). (File No. 19-7)
- (315) Copy of letter from Canadian Coast Guard, Central Region, Transport Canada, notifying the Federal "Municipal Grants Division" that they have renewed their Lease No. 94065 with the Corporation of the City of Kingston for a further five (5) years commencing July 1, 1977.

This lease covers an area of 5.104 acres in the Public Harbour of Kingston in front of farm lots 22 and 23, Concession 1, formerly Township of Kingston, Ontario, on the south side of King Street, east of the Water Purification Plant and is used as part of the King Street Breakwater. (File No. 8-2.1)

COMMUNICATIONS (Cont'd)

Referred to the Committee of the Whole

- (316) From the Canadian Mental Health Association asking the City to reconsider the Association's earlier request for a grant to support their work at a local level through this newly formed Kingston Association. (File No. 7-3)

Referred to Planning Board

- (317) From Mrs. Irene Mooney requesting further information from the City with regard to the costs for the downtown revitalization program. (File No. 19-1.3)

Filed

- (318) A copy of a letter to The Honourable William Davis, from Mrs. Irene Mooney stating that she believes that it is most unfair that The Honourable Keith Norton has received considerable verbal abuse since his public statement with regard to delinquent fathers. It is her sincere belief that all members of Provincial Parliament should support Mr. Norton in this regard and that all aspects of welfare programs should be examined in order to arrest the ever increasing cost to the taxpayer and to arrest all flagrant abuses of our present system. (File No. 10-2)

Referred to the Industrial Commissioner

- (319) Copy of letter from the Ministry of Housing to the Township of Kingston with regard to Proposed Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area, advising that since the quarry, affecting the northern designation change, will be phased out shortly, they have no objections to the change of designation from "environmental protection areas" to "low density residential". Nor do they object to the redesignation from "environmental protection areas" to "airport".

However, they have received recommendations from the City of Kingston and the Kingston Industrial Commission, that the small triangular shaped land south-west of the proposed north/south arterial road and adjacent to the Kingston Airport boundary be designated "airport". This would be consistent with the adjacent land on the west and south boundaries of the area. Because they feel that these concerns should be resolved at the local level they are prepared to defer this portion of the amendment at this time and approve the remainder.

They request the City and Commission to discuss their concerns with the Township. (File No. 1-2.1-4)

Referred to the Implementation Committee

- (320) From Mrs. Irene Mooney suggesting that the City consider reducing the number of aldermen to one per ward which would mean an eight-man council. As an alternative, she suggests dividing the City into only four wards, with new boundaries, appointing two aldermen to each ward, but making each of them primarily responsible for half the ward, thus dividing their work load roughly in half. (File No. 3-6)

COMMUNICATIONS (Cont'd)

Referred to the Chief Administrative Officer

- (321) From the Town of Seaforth requesting that the City of Kingston endorse the following resolution:

"WHEREAS it appears that there are numerous delays in Ontario Courts, quite often caused by unnecessary remands,

AND WHEREAS witnesses, municipal and provincial police often spend many hours sitting in court, at the expense of taxpayers, only to discover that the case for which they are in attendance has been remanded,

AND WHEREAS the Corporation of the Town of Seaforth is of the opinion that the courts are often too lenient in punishing many persons found guilty of crimes,

AND WHEREAS it appears that such lenient punishment by the courts does not act as a deterrent,

AND WHEREAS it appears that in many cases no restitution is made by persons found guilty of certain crimes, and the Town of Seaforth is of the opinion that restitution should be made to persons suffering property damage."

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Corporation of the Town of Seaforth petition the Attorney General of Ontario to conduct an aggressive and thorough study of time-consuming courtroom procedures prevalent in Ontario courts and further, to analyze sentences being handed down from the bench for various crimes".

(File No. 19-7)

Filed

- (322) From Queen's University thanking the City for its cheque in the amount of \$30,000 representing the second instalment on the \$150,000 pledge to the Queen's Quest fund-raising campaign. (Total cash and pledges now exceeds \$9 million mark on an objective of \$10 million).
(File No. 7-3)

- (323) From the Association of Municipal Assessors of Ontario thanking the City for its generous financial contribution, assistance and the co-operation that was extended to their delegates when they visited Kingston recently for their 1979 Conference.
(File No. 3-9)

COMMUNICATIONS (Cont'd)

- (324) From Angada Children's Hospital Committee thanking Council for permission to use Memorial Hall at no charge on the evenings of September 26, October 10, October 24, November 7 and November 21, 1979, in order that they might present a series of public lectures to commemorate the "International Year of the Child". (File No. 3-7.10)

Referred to Chief Administrative Officer

- (325) From the City of Brampton requesting that their following resolution be adopted and enclosing report entitled, "Off-Road Motorized Recreational Vehicles":

"WHEREAS the indiscriminate use of off-road motorized recreation vehicles is detrimental to the general welfare and safety of the Community and to the Environment and,

WHEREAS there is inadequate legislation and regulations relating to use of such vehicles and,

NOW THEREFORE be it resolved that the Province of Ontario through the Minister of Intergovernmental Affairs be requested to enact appropriate legislation providing for:

- a) the registration and licencing of off-road motorized recreation vehicles,*
- b) the licencing of all drivers of such vehicles,*
- c) the regulation of the use of such vehicles,*

consistent with the report of the Commissioner of Parks and Recreation of the City of Brampton dated May 7th, 1979 - entitled "OFF-ROAD MOTORIZED RECREATIONAL VEHICLES".

(File No. 19-9)

Referred to the Commissioner of Industries

- (326) From the City of Toronto notifying that Toronto City Council has approved an Official Plan Change for the Toronto Island Airport Lands and submitting a copy of the proposed Official Plan Change. (File No. 21-1)

Referred to the Director of Planning and Urban Renewal

- (327) From the Ministry of Consumer and Commercial Relations enclosing copy of "Report on Consumer Outreach '78 Project". (File No. 17-9).

COMMUNICATIONS (Cont'd)

Referred to the Administrator of Traffic, Streets & Parking

- (328) Report from the Chief Administrative Officer with regard to report from B.W. Trumpour, Enquiry Officer, dealing with the application by the City of Kingston for approval to expropriate land owned by Empire Warehouses Limited. (Copies distributed to members of Council).
(File No. 12-2.79)

COMMITTEE OF THE WHOLE

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Council resolve itself into the Committee of the Whole to receive delegations, communications and reports, with Mayor Keyes in the Chair.

CARRIED

- (B) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Council rise from the Committee of the Whole and the Chairman Report.

CARRIED

Mayor Keyes reported that the following Delegation was received and Communication 316 and Report No. 65 and No. 66 were considered in the Committee of the Whole as follows:

DELEGATIONS

Representatives of the following funeral homes were present. to discuss rates for indigent burials:

James Reid Funeral Homes
Gordon F. Tompkins Funeral Home
Robert J. Reid & Sons Funeral Home
Graham A. Stein Funeral Directors Ltd.

(Information with regard to this matter was distributed with the agenda.)

Mr. James Reid spoke in favour of increased rates for indigent burials.

Mr. Reid said that the Social Services Administrator, had without consultation, increased the fees but made the \$590.00 for adult burials all inclusive of cemetery fees which left the Funeral Directors with less money than under the 1972 rate. He said that the following rates applied in the Cities indicated:

City of London	-	\$688.00
Niagara Region	-	660.00
Peterborough	-	568.00

Mr. Reid said that the Funeral Directors in Kingston are requesting \$568.00 for adult burials plus cemetery fees.

In response to a question from Ald. Gerretsen, Mr. Reid said that the increase was the 1972 rate increased by 6% per year.

Mr. Reid said that payment for indigent burials should be considered each year at budget time and this would avoid having to make a request at the Committee of the Whole.

COMMUNICATIONS

Communication No. 316 from the Canadian Mental Health Association asking the City to reconsider the Association's earlier request for a grant to support their work at a local level was considered by the Committee of the Whole.

*(See following motion for reconsideration
which was Lost)*

Moved by Ald. Clements,
Seconded by Ald. Lampropoulos,

That Council reconsider the request of the Canadian Mental Health Association for a grant to assist in their work at the local level on the basis that it should be publicly known why their request was not approved.

LOST 6:7

REPORTS

Report No. 65 - Chief Administrative Officer

Consent was given for the deletion of Clause 3 and the substitution of a revised Clause 3.

Consent was given for the addition of Clauses 17 and 18.

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Report No. 65 of the Chief Administrative Officer be received and adopted clause by clause.

REPORT NO. 65

June 11, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by the City Treasurer, the following resolution be approved:

"WHEREAS under Section 304 of the Municipal Act, R.S.O. 1970, Chapter 284, as amended, a municipality may levy an annual tax of \$50.00 per bed for public hospitals and provincial mental health facilities designated by the Minister of Health, \$50.00 per student for universities and community colleges and \$50.00 for each resident place of provincial correctional institution or training school designated by the Minister of Correctional Services:

REPORTS (Cont'd)

Report No. 65 - Chief Administrative Officer

1. (Cont'd)

AND WHEREAS the City cannot increase the \$50.00 rate without a change to the Municipal Act by the Province of Ontario although the rate has remained unchanged since 1973 while municipal and school taxes have increased by 62% over that same period;

AND WHEREAS the City will receive a payment in lieu of taxes of \$703,500 during 1979 and if the City had been allowed to increase the \$50.00 fee at the same rate that other taxes were increased, an additional \$436,170 would have been received from this source during 1979;

THEREFORE BE IT RESOLVED that the Provincial Government be requested to amend Section 304 of the Municipal Act, R.S.O. 1970, Chapter 284 to increase the annual tax of \$50.00 that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions to \$80.00 per year and provide in the legislation that municipalities may increase the fee each year by the same percentage increase that residential public school supporters taxes increase by.

AND FURTHER that a copy of this resolution be forwarded to the Association of Municipalities of Ontario and the cities in Ontario of comparable size for possible endorsement and support."

(Note: A copy of the report of the City Treasurer is attached as Schedule "A".)

CARRIED 11:2

2. That, as recommended by Smith, Mill & Ross, Architects, Change Order No. 13 to the contract with Emmons & Mitchell Construction Limited, in the amount of \$433.13 for the following work be approved:

- a) Replace existing Third Floor damaged toilet with Crane or equal new fixture.
- b) Extend existing slop sink vent presently terminated in the attic to the plumbing vent system.

CARRIED

REPORTS (Cont'd)

Report No. 65 - Chief Administrative Officer

3. WHEREAS the amount of \$15,000 was approved in the 1979 Budget for Providence Manor;

AND WHEREAS Providence Manor in April, 1979, requested that this grant be divided as follows in order to provide monies for a day care centre for seniors to operate from Providence Manor under the name "Hildegarde Centre":

Hildegarde Centre	-	\$3,609.61
Balance		
(To Providence Manor)		\$11,330.39.

AND WHEREAS in order to receive 50% subsidy from the Provincial Government for the day care centre it is necessary for a municipality to commit itself to 20% of the of the operating costs;

THEREFORE BE IT RESOLVED that approval be given to the split of the grant of Providence Manor to provide \$3,609.61 for the Hildegarde Centre and that the Ministry of Community and Social Services be notified of the funding provided by the City.

(See attached Schedule "B")

(See By-Law No. 2: No. 79-121)

CARRIED AS AMENDED
(See Recorded Vote)

Ald. Webb requested a recorded vote on Clause 3, Report No. 65, which was as follows:

YEAS: Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements,
Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp,
Ald. Lampropoulos, Ald. Matthews, Ald. McArthur,
Ald. Tarnowecky, Ald. Webb (13)

NAYS:

4. That, as recommended by the Commissioner of Works, the tender of Mobile Tank Industries Ltd., Alternative No. 1, to supply a truck chassis with mounted flusher tank at a cost of \$38,097.00, be accepted being the lowest tender received, to be charged to the Reserve for Equipment Replacement.
(See attached Schedule "C").

CARRIED

5. That, as recommended by the Commissioner of Works, the asphalt overlay program as outlined in his report attached as Schedule "D" hereto be approved for construction.

CARRIED
(Ald. Hawkins opposed)

6. That, as recommended by the Commissioner of Works, the surface treatment program as outlined in his report attached as Schedule "E" hereto be approved for construction by day labour.

CARRIED

REPORTS (Cont'd)

Report No. 65 - Chief Administrative Officer

7. That the tender of Carlo Sorensen Ltd. for the repair and improvement to the Elmer Youth Centre as per tender document and drawings for the sum of \$114,500.00, with a completion date of twelve weeks from contract signing, be accepted, said acceptance to be subject to Ontario Municipal Board approval of the \$45,000.00 1979 Budget allocation added to the 1978 approved allocation of \$115,000.00, for the completion of this work.

(See attached Schedule "F". Application to the Ontario Municipal Board for the \$45,000. has already been made.)

CARRIED

8. That, as recommended by the Commissioner of Works, the following budget transfer be approved in order to acquire two used Police cars for the Public Works Department:

	<u>INCREASE</u>	<u>DECREASE</u>
<u>Police Department</u>		
Capital Expenditures	\$1,750.	
<u>Public Works Department</u>		
Reserve for Equipment		\$1,750.

(See Schedule "G" attached hereto.)

CARRIED

Ald. Webb opposed
Ald. Knapp opposed

Ald. Webb withdrew at 8:40 p.m.
and returned at 8:45 p.m.

Ald. Gerretsen withdrew at 8:40 p.m.
and returned at 8:44 p.m.

REPORTS (Cont'd)

Report No. 65 - Chief Administrative Officer

9. That the following policy be approved for the lease of City owned land at the Sewage Treatment Plant Site in the Township of Pittsburgh for the renewal of present leases or the entering into of new leases:

- a) 5 year leases will be applied to the following lots subject to review and possibly further extension after the 5 years at the following rental rates:

<u>Lot No.</u>	<u>Frontage in Feet</u>	<u>5 year Lease per Annum</u>
1	120	\$670.
2	80	445.
3	85	475.
4	80	445.
5	140	780.

- b) 5 year leases will be applied to the following lots, with provision for a 1 year notice to vacate, at the following rental rates:

<u>Lot No.</u>	<u>Frontage in Feet</u>	<u>5 year Lease per annum</u>
6	125	\$437.
7	100	350.
8 & Pt. 9	125	437.

- c) The rental rate on all leases shall be adjusted annually by the same percentage change as in the Consumer Price Index of Statistics Canada.

CARRIED AS AMENDED

Mayor Keyes opposed

Ald. Clements opposed

(See following motion of amendment)

Moved by Ald. Gorham,
Seconded by Ald. Gerretsen,

That Clause 9 (b) be amended to provide that Part (b) shall read as follows:

- " (b) Five year leases will be applied to the following lots, with provision for a 1 year notice to vacate, at the following rental rates:

<u>Lot No.</u>	<u>Frontage in Feet</u>	<u>5 year lease per annum</u>
6	125	\$437.
7	100	350.
8 & Pt. 9	125	437.

and to add as Part (c) the following:

"The rental rate on all leases shall be adjusted annually by the same percentage change as in the Consumer Price Index of Statistics Canada."

CARRIED

Mayor Keyes opposed

Ald. Clements opposed

REPORTS (Cont'd)

Report No. 65 - Chief Administrative Officer

Ald. Gorham withdrew at 9:25 p.m.

Ald. Tarnowecky withdrew at 9:25 p.m.

10. That, as recommended by the Administrator, Traffic, Streets and Parking, letters be sent to the property owners for comment or objection to the proposed parking regulations as follows on Albert St.:

East Side - That parking meters be installed from 120 feet south of Princess St. southerly 120 feet (2-3 meters) to the south limit of 465 Albert Street, and that a two hour time limit be established from 465 Albert Street southerly 150 feet.

West Side - That the fifteen minute parking zone on Albert Street remain, and that a two hour time limit be established on parking from 103' south of Princess St. 300' southerly.

(See Schedule "I" attached hereto.)

CARRIED

11. That, as recommended by the Administrator, Traffic, Streets and Parking, letters be sent to the property owners for comment or objection to the proposed parking regulations as follows:

a) That parking be prohibited on the west side of Montreal Street between John Street and Markland Street.

(See Schedule "J" attached hereto.)

CARRIED

12. That, as recommended by the Administrator, Traffic, Streets and Parking, letters be sent to the property owners for comment or objection to the proposed parking regulations as follows:

a) That the five minute meters at the curb be converted to one hour time limit and that the two 15 minute meters facing the island be retained, on the south side of Queen St.

(See Schedule "K" attached hereto.)

CARRIED

Ald. Tarnowecky returned at 9:28 p.m.

Ald. Tarnowecky returned at 9:31 p.m.

Ald. Gorham returned at 9:30 p.m.

REPORTS (Cont'd)

Report No. 65 - Chief Administrative Officer

13. WHEREAS, the Implementation Committee has received and considered the following Notice of Motion:

*"Moved by Ald. Clark,
Seconded by Ald. Gorham,*

That the Mayor appoint a committee to make recommendations concerning:

- 1) The development of additional productive activities for welfare recipients; and*
- 2) The implementation of a county-wide welfare system."*

THAT, as recommended by the Implementation Committee, the following committee of four be appointed:

- Ald. Clark and Ald. Gorham
- Mr. S. Routbard, Social Services Administrator,
- and -
- A representative of the Kingston office of the Ministry of Community and Social Services,

to make a report to Council concerning the development of additional productive activities for welfare recipients;

- and -

that the County of Frontenac be invited to appoint a representative to the committee to also prepare, for report to Council, a study of implications of a County-Wide Welfare System.

CARRIED AS AMENDED

See following motion of amendment

Moved by Ald. Webb,
Seconded by Ald. Gerretsen,

That Clause 13, Report No. 65, be amended to provide that Ald. Gorham will be a member of the Committee and to delete the word "three" in the second paragraph and substitute the word "four".

CARRIED

14. That as recommended by the Commissioner of Industries and Airport Administrator, the account of Kingston Advertising Agency in the amount of \$815.00 payable in U.S. funds, for a 1/3 page advertisement in the 1979 issue of "The Kingstonian" magazine, be paid.

(See Schedule "L" attached hereto.)

CARRIED

Ald. Clark withdrew at 9:35 p.m. and returned at 9:50 p.m.
Ald. Clements withdrew at 9:40 p.m. and returned at 9:45 p.m.
Ald. Hawkins withdrew at 9:40 p.m. and returned at 9:42 p.m.
Ald. Knapp returned at 9:32 p.m.

REPORTS (Cont'd)

Report No. 65 - Chief Administrative Officer

15. That, as recommended by the Administrator, Traffic, Streets and Parking, Queen's Crescent remain closed on the basis of Plan 63-L065, which shows the proposed landscaping at the centre of the block to prevent through traffic, and restricted areas at University Avenue and Albert Street to discourage traffic from entering the area unnecessarily. (See Schedule "M" attached hereto.)

TABLED

(See following Notice of Motion and Motion to Table)

Moved by Ald. McArthur,
Seconded by Ald. Gorham,

That a By-Law be presented to Council to repeal By-Law No. 9034, "A By-Law to Stop Up and Close Queen's Crescent between University Avenue and Albert Street."

TABLED

(See following Motion)

Moved by Ald. Webb,
Seconded by Ald. Hawkins,

That Clause 15, Report No. 65 and the motion of Ald. McArthur and Ald. Gorham be tabled and the Administrator of Traffic, Streets and Parking be requested to report on this matter, taking into consideration the following:

- 1) if Queen's Crescent is to remain closed there should be an appraisal of the land involved and Queen's University should be approached to purchase same.
- 2) who will be responsible for the maintenance of the road?
- 3) are there any utilities or City services in this road?
- 4) will it interfere with fire protection?

CARRIED

16. That, as recommended by the Administrator, Traffic, Streets and Parking, a by-law be presented to Council to authorize the reconstruction and widening of Princess Street to five lanes from 196.28 meters (644') east of Portsmouth Avenue to 191.50 meters (628.3') west of the Parkway, including the widening of approaches to Princess Street on Portsmouth Avenue at a total estimated cost of \$587,500, \$418,000, Debenture Amount \$169,500. (See Schedule "N" attached hereto.)

(See By-Law No. 1: Proposed No. 79-120)

CARRIED

June 11, 1979

REPORTS (Cont'd)

Report No. 65 - Chief Administrative Officer

17. That the City Treasurer be authorized to advance up to \$5,000 to the Canada Week Committee towards the Canada Week activities from the K.O.P.E.C. Reserve Fund on the understanding that any portion of the monies not spent be returned to the City and placed in reserve.

(Note: Copy of Canada Week Budget has been requested and will be distributed to all members of Council when received)

CARRIED

18. That as recommended by Mr. D. Graham, Commissioner of Works, the tender of J. Sousa Contractor Limited in the amount of \$4,367.62 for the construction of sidewalks and boulevards on the south side of Newcourt Place, being the lowest tender received.

(See Schedule "O" attached hereto)

CARRIED

Respectfully submitted,

R.J. Hamilton,
Chief Administrative Officer

* * *

JUN 5 1979



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

June 5, 1979

TO: R. J. Hamilton,
C.A.O.

FROM: B. G. Cousens,
City Treasurer

RE: Payment in Lieu of Taxes

ORIGIN: Letter from Mrs. Irene Mooney requesting that the grants from Queen's University and local hospitals should be increased from the regular rate of \$50.00 so that these grants can be kept in line with increasing taxes.

ANALYSIS: Section 304 of the Municipal Act R.S.O. 1970 Chapter 284 as amended, provides that municipalities may levy an annual tax of \$50.00 per bed for public hospitals and provincial mental health facilities designated by the Minister of Health; may also levy \$50.00 per student for universities and community colleges; and \$50.00 for each resident place of provincial correctional institution or training school designated by the Minister of Correctional Services.

ALTERNATIVES: The City cannot increase the \$50.00 rate without a change to the Municipal Act by the Province of Ontario.

FINANCIAL CONSIDERATIONS: While the \$50.00 fee per student or bed as the case may be, has remained unchanged since 1973, municipal and school taxes have increased by 62% over that same period.

The City will receive a payment in lieu of taxes of \$703,500. during 1979, pursuant to the foregoing legislation. If the City had been allowed to increase the \$50.00 fee at the same rate that other taxes were increased, we would have received an additional \$436,170. from this source during 1979.

RECOMMENDATION: That the Provincial Government be requested to amend Section 304 of the Municipal Act R.S.O. 1970 Chapter 284 to increase the annual tax of \$50.00 that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions to \$80.00 per year and provide in the legislation that municipalities may increase the fee each year, by the same percentage increase that Residential Public School supporters taxes increase by.

Note: The \$50.00 charge has remained the same since 1973 while municipal taxes in Kingston have increased by 62% over that period of time.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 20-5,3

June 1, 1979

M E M O R A N D U M

TO: Members of Council
FROM: R.J. Hamilton, C.A.O.
RE: Providence Manor Request

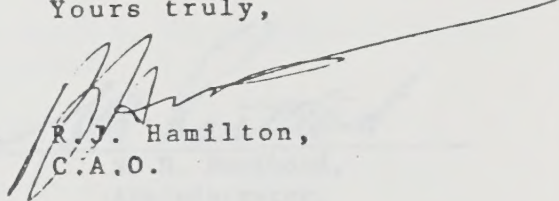
We are forwarding herewith a request from Mr. Routbard recommending that the Providence Manor receive an amount as follows for their annual grant:

Hildegarde Centre -	\$ 3,609.61
Balance -	\$11,330.39
(To Providence Manor)	

It is our understanding that the City has previously awarded a \$15,000. grant for the Providence Manor and Mr. Routbard is requesting that it be split as shown above.

We would therefore recommend that Council authorize this allocation.

Yours truly,


R.J. Hamilton,
C.A.O.

RJH/sd

MAY 31 1979

Department of Social Services
City of Kingston

memorandum

TO: MR. R. J. HAMILTON,
C.A.O.

DATE: MAY 31ST, 1979.

FROM: S. H. ROUTBARD,
ADMINISTRATOR.SUBJECT: PROVIDENCE MANOR REQUEST.

A request was received April 4th, 1979 from Providence Manor. This is in relation to a request for a grant from the City under the "Elderly Persons Centres Act". Providence Manor has established a day care centre for seniors under the name "Hildegarde Centre".

In order for them to receive funding from the Ministry under this Act, the City is required to commit 20% of their annual operating costs.

At present, the Senior Citizens Council is in receipt of an Elderly Persons Centres Act grant of \$9,012.00 from the City.

Providence Manor receives an annual grant from the City, in the amount of \$15,000.00. They are requesting that the 20% be taken from this grant, which is \$3,609.61, and the balance applied to their grant, which would be \$11,390.39.

The Provincial grant under this Act to Providence Manor would be 50% of their operating budget, in this case \$9,024.00.

This Provincial grant is contingent upon the municipality agreeing to grant the 20% under the Elderly Persons' Centres' Act.

S. H. Routbard,
Administrator,
Department of Social Services.

SHR:bc

Providence Manor

115 Ordnance Street
Kingston, Ontario
K7K 1G7

April 3rd, 1979.

The Honorable Kenneth Keyes,
Mayor of the City of Kingston,
Members of City Council,
City Hall,
Kingston, Ontario.

Dear Mr. Mayor and Members of City Council:

Providence Manor has established a day care centre for seniors. This centre operates from Providence Manor under the name "Hildegarde Centre".

In order for us to receive funding from the Ministry of Community and Social Services under the Elderly Persons Centres Act, we are required to obtain a commitment from our local municipality to meet 20% of the annual operating costs.

The purpose of this letter is to ask you to pass a by-law which would obligate the City to 20% of the annual operating cost of the "Hildegarde Centre". A sample form of such a by-law has been delivered to the Mayor's office, however it is not necessary to use this as you may want to draw up your own.

We at Providence Manor are most grateful for the money granted to us by the City in the past and our Board of Directors would be in agreement to the aforementioned 20% being allocated from our grant. A copy of our projected budget for the first four years of operation has been left in the Mayor's office.

A copy of the Objectives and an outline of the program of the "Hildegarde Centre", together with a copy of a Feasability Study re Day Care which was done by an Experience '78 student last summer are enclosed for your perusal.

We feel the "Hildegarde Centre" will be an asset to the seniors of Kingston and we are most hopeful you will consider our request.

Yours sincerely,

Sister Margaret Haughian
Sister Margaret Haughian,
Administrator.

SME/dh

APR - 4 1979

Encl. 3

*Mr. Rutherford
Soc. Services*

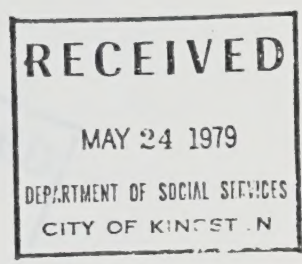
Telephone: 546-42



THE CORPORATION OF
THE CITY OF KINGSTON
OFFICE OF THE MAYOR

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3

April 4th, 1979.



Sister Margaret Haughian,
Administrator,
Providence Manor,
115 Ordnance Street,
Kingston, Ont.

Dear Sister Haughian:

I enjoyed the recent visit from Mr. Robert Fray, Chairman of the Board of Providence Manor, and Mrs. Hagerman, at which time they discussed with me the establishment of a Day Care Centre for seniors at Providence Manor under the name of "Hildegarde Centre." They also proposed that should the city pass the appropriate by-law, that the 20% annual operating cost which would become an obligation on the city, might be taken from the grant given to Providence Manor by the city. Your programme objectives and budget, along with the copy of the "Feasibility Study," will be forwarded to the Community Services Committee with subsequent recommendation to Council. At the present moment, I do not foresee any difficulties with having this matter considered favourably by the committee and Council, but the final outcome of such must await consideration by the appropriate bodies.

Congratulations to you and all the Sisters at Providence Manor for taking the initiative to provide this additional Day Care service for the seniors of our community.

Sincerely,

K

Ken Keyes
Mayor

KK:a

Providence Manor

115 Ordnance Street
Kingston, Ontario
K7K 1G7

May 30, 1979

Mr. Routbard,
Department of Social Services,
City Hall,
Kingston, Ontario



Dear Mr. Routbard:

Thank you for your inquiry re our request for financial assistance in our "Day Care" program.

I am enclosing a copy of our budget for 1979 which I hope will be of some guidance to you.

In order for us to receive funding from the Ministry of Community and Social Services under the Elderly Persons Centres Act, we are required to obtain a commitment from our local municipality to meet 20% of the annual operating costs.

We have appreciated the help the City of Kingston has given us in the past and hopefully your well drafted proposal will be accepted.

With every kind and personal wish, I am,

Yours sincerely,

Sister Margaret Haughian
Sister Margaret Haughian,
Administrator

SCHEDULE "B" (Page 6).

BUDGET FOR DAY CARE CENTRE

Salaries (Day Care Co-ordinator)	\$	11,720.00
Employee Benefits (C.P.P. & U. I. C.)		413.00
Insurance		75.00
Telephone (\$ 9.20 per month)		110.40
Rental of Space (495 sq. ft. x \$ 6.00)		2,970.00

Purchased Services

Telephone Installation	24.50
Cable TV Installation	15.00
Typewriter Repairs	25.00

Travel, Workshops & Visits	150.00
Subscriptions	50.00
Supplies (Crafts, etc.) \$ 40.00 per month	480.00
Prizes and Party Favours	500.00
Food (10 x .40 x 5 = \$ 20.00 x 52	1,040.00
Stationery & Supplies	231.15
Cable (Yearly Charge)	69.00
Movie	75.00
Tapes and records	100.00

\$ 18,048.05

Budget Total for 1979	\$ 18,048.05	20% Share City of Kingston	3,609.61
Budget Total for 1980	\$ 19,852.85	20% Share City of Kingston	3,970.57
Budget Total for 1981	\$ 21,838.13	20% Share City of Kingston	4,367.62
Budget Total for 1982	24,021.94	20% Share City of Kingston	4,804.38

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date - June 6, 1979

SUBJECT Tender 79-22 Truck Chassis with mounted Flusher Tank (2000 gals)

ORIGIN Provision for the purchase of a street flusher was included in the 1979 Current Budget.

Summary of Tenders

Edwards Ford Mercury	\$42,431.00
Edwards Ford Mercury Alt. #1	38,414.00
Edwards Ford Mercury Alt. #2	37,571.00
Industrial Tractor	40,729.00
Eastway Tank Pump Ltd	43,262.00
Mobile Tank Industries Ltd	40,597.00
Mobile Tank Industries Ltd Alt. #1	38,097.00

ANALYSIS The report and recommendation of the Director of Purchasing is attached. He advises that the year of the truck chassis in the tender of Mobile Tank Industries Ltd, Alt. #1, is 1980.

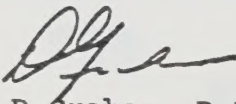
EXISTING POLICY The lowest tender is accepted unless there is justification to do otherwise. The Public Works Department concur in the recommendation of the Director of Purchasing.

No other Departments or Agencies are involved.

FINANCIAL The Current Budget provides for using \$39,000.00 from the Reserve for Equipment Replacement.

RECOMMENDATION That the tender of Mobile Tank Industries Ltd Alt. #1 to supply a truck chassis with mounted flusher tank at a cost of \$38,097.00, be accepted being the lowest tender received.

DG/gg
att.


D.Graham, P.Eng
Commissioner of Works

for

TRUCK CHASSIS WITH MOUNTED FLUSHER TANK

PERIOD OF USE: Indefinite
 METHOD OF INVITATION: Public & Individual Notices
 NO. OF INVITATIONS SENT: 12

DATE OF CALLING: May 8, 1979
 DATE OF CLOSING: May 25, 1979
 NO. OF TENDERS RECEIVED: 7

QTY.	DESCRIPTION	EDWARDS FORD MERCURY	EDWARDS FORD MERCURY	EDWARDS FORD MERCURY	INDUSTRIAL TRACTOR	EASTWAY TANK PUMP LTD.	MOBILE TANK IND.	MOBILE TANK IND.
1	(NEW) TRUCK MOUNTED FLUSHER TANK COMPLETE			ALT. #2	44,729.00	44,762.00	41,797.00	ALT. #1 39,297.00
	MAKE	Ford	Ford	Ford	International	I.H.C.	Ford	Ford
	MODEL NO.	C900	C800	LN800	C01910B	C01910B	C900	L900
	YEAR	1980	1980	1980	1979	1980	1980	-
	GVW	39,000	35,000	35,000	39,000	39,000	39,000	39,000
	CURB WEIGHT CHASSIS	7,985	7,265	6,860	8,295	8,295	7,985	7,355
	ENGINE, CHASSIS/PUMP:							
	NO. OF CYL.	8	8	8	8	8	8	8
	MODEL NO.	477	429	429	V537	537	477	477
	H.P.	225	234	234	236	208	218	218
	FLUSHER TANK:				85	100	102	102
	MAKE	SMI	SMI	SMI	EGW	EGW	Mobile Tank	Mobile Tank
	MODEL	2000	2000	2000	17201	Surburban Fl.	Street Flusher	Street Flusher
	CAPACITY	2,000 gals.	2,000 gals.	2,000 gals.	2,000 gals.	2,000 Imp. gal.	2,000 gals.	2,000 gals.
1	LESS TRADE ALLOWANCE FOR: 1970 INTERNATIONAL 1000 GALLON FLUSHER	2,250.00	2,250.00	2,250.00	4,000.00	1,500.00	1,200.00	1,200.00
	PRICE DIFFERENTIAL	42,431.00	38,414.00	37,571.00	40,729.00	43,262.00	40,597.00	38,097.00
	FEDERAL SALES TAX EXEMPT	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	PROVINCIAL SALES TAX EXEMPT	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	TOTAL NET DELIVERED	42,431.00	38,414.00	37,571.00	40,729.00	43,262.00	40,597.00	38,097.00
	DELIVERY -	22-24 wks.	22-24 wks.	22-24 wks.	Nov. 15/79	Dec. 20/79	16 wks. est.	16 wks. est.

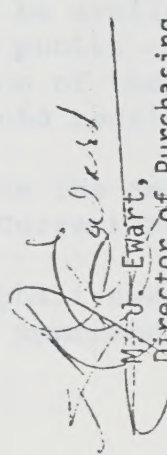
REMARKS

- 1) The foregoing tabulation is a summary of all tenders received in response to the subject invitation for a 2,000 gallon street flusher.
- 2) Alternate bids #1 & #2 of Edwards Motor Sales meet or exceed the specification except for front axles. Resultantly the Gross Vehicle Weight of each Alternate is approximately 4,000 lbs. under specification.

RECOMMENDATION

It is recommended for consideration that the tender of MOBILE TANK INDUSTRIES LTD. (ALTERNATE #1) be accepted being the lowest tender received.

Respectfully submitted,


M. J. Ewart,
Director of Purchasing.

MJE/jg

JUN 5 1979

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date - June 5, 1979

SUBJECT 1979 Asphalt Overlay Program

ORIGIN This is an annual program to increase pavement life by sealing the cracks and to improve riding conditions. Funds are included in the Current Budget for this purpose and it is necessary to establish the locations where the overlay is to be applied.

ANALYSIS Attached as Schedule "A" is the recommended program. The tonnage of asphalt involved was included in Contract 79-2W.

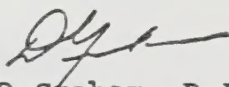
EXISTING POLICY This program is used for pavements where their condition is deteriorating but not to the point that reconstruction is warranted.

Queen St is an exception. Connecting Link subsidy may not be available for Queen St until 1980 or 1981 and the public cannot be expected to put up with the condition of the road until then. The travel lanes only would receive an overlay.

FINANCIAL Funds, in the amount of \$20,000.00, were provided in the Current Budget.

RECOMMENDATION That asphalt overlay program as outlined in Schedule "A", be approved for construction.

DG/gg
att.


D.Graham, P.Eng
Commissioner of Works

SCHEDULE "D" (Page 2)

Schedule "A"

SCHEDULE FOR 1979 OVERLAY IN CITY STREETS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Cost</u>
Concession	Alfred	Grey	\$ 990.00
Concession	Nelson	Victoria	1,540.00
Albert	Earl	Cooper	1,320.00
Railway	Patrick	91m easterly	1,320.00
Sir John A.Macdonald	Glengarry	152m northerly	2,420.00
Sir John A.Macdonald	Glengarry	274m southerly	5,940.00
Queen	Sydenham	Clergy (6m wide)	1,430.00
College	Johnson	Earl	3,080.00
Sub Total			\$18,040.00
Allowance for Inspection etc			1,960.00
<u>Total</u>			<u>\$20,000.00</u>

JUN 5 1979

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date - June 5, 1979

SUBJECT 1979 Surface Treating Program

ORIGIN This is an annual program to minimize surface breakdown of unpaved roads until they are scheduled for pavements. Funds were provided in the Current Budget for this purpose and it is necessary to establish the areas where the surface treatment will be applied.

ANALYSIS Attached as Schedule "A" is the recommended program. The work is carried out by the Works Department. The area road contractors do not have the oil distributors to do this work.

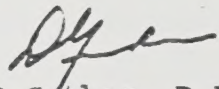
EXISTING POLICY This program is used where surface breakdown needs to be avoided but not on streets where the paving of gravelled roads is scheduled.

Other Departments and Agencies are not involved.

FINANCIAL Funds, in the amount of \$5,000.00, were provided in the Current Budget.

RECOMMENDATION That the surface treatment program as outlined in Schedule "A" be approved for construction by day labour.

DG/gg
att.


D.Graham, P.Eng
Commissioner of Works

MEMORANDUM

Schedule "A"

TO: B. A. HANSTON, JR., Chief Administrative Officer
 FROM: Lee W. Smith, Jr., Chief Engineer, City of St. Louis
 DATE: PROPOSED SURFACE TREATMENT - 1979

SUBJECT: Tender for the Repaving of Street Work and
 Miscellaneous Work on the Street Work

<u>Street</u>	<u>Cost</u>
Wilson St from Weller Ave to dead end	\$1,500.00
River St	675.00
Dead end of Fraser St	225.00
Hillendale Ave., Phillips St., Elmwood St	1,100.00
Elmwood St from Hillendale Ave to Portsmouth Ave	675.00
Westdale Ave south of Brock St	825.00
	\$5,000.00

TECHNICAL

City Engineer
 City Engineer
 Acting Engineer
 Deputy Engineer

JUN 5 1979

MEMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

TO: R. J. Hamilton, Chief Administrative Officer.

FROM: Lee W. Shipp (For Mr. Fluhrer, who is on vacation).

DATE: June 5, 1979.

SUBJECT: Tender for the Replacement of Floor Slab and Associated Miscellaneous Work at the Elmer Youth Centre

ORIGIN: Because of deteriorating floor conditions and less and less convenience in service to the users, Council designated in 1978 a Capital Project Allowance to repair these conditions. On two separate occasions in 1978, bids received on invitation of tender were substantially higher than the allowance. As a result, contracts were not awarded. With the addition of \$45,000 Capital money in 1979 to the already committed \$115,000 from 1978, tenders were again called to close on June 1st, 1979.

ANALYSIS: A letter from Mr. M. Wade of J. D. Lee Engineering, consultants on the project, is attached. He indicates that four tenders were received, the originals of which are also attached.

<u>TENDERER</u>	<u>TENDER PART "A"</u>	<u>TENDER PART "B"</u>	<u>TOTAL</u>	<u>COMPLETION TIME</u>
Carlo Sorensen	\$ 90,000.00	\$24,500.00	\$114,500.00	12 weeks
Foley Const. Ltd.	93,199.40	21,453.00	114,652.40	15 weeks
Acton Const. Ltd.	103,917.00	18,117.30	122,034.30	5 weeks
Emmons & Mitchell	111,755.00	21,452.50	133,207.50	12 weeks

As indicated in the letter, Carlo Sorensen has previously handled work for the City of Kingston and has been found to do a satisfactory job in all respects.

....Cont'd.



- 2 -

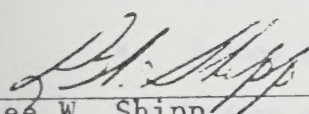
EXISTING
POLICY:

The lower tender is recommended for acceptance unless there is reason for doing otherwise. The Department of Parks & Recreation does, therefore, concur with the recommendation of the consulting engineers.

FINANCIAL: The lower tender at \$114,500.00 is well within the estimates for the scope of work under this contract. It is anticipated that the total project can be completed within the total Capital Allowances of 1978-79.

RECOMMENDATION:

That the tender of Carlo Sorensen Ltd. for the repair and improvement to the Elmer Youth Centre as per tender document and drawings for the sum of \$114,500.00, with a completion date of twelve weeks from contract signing, be accepted. This acceptance shall be subject to Ontario Municipal Board approval of the \$45,000.00 1979 Budget allocation added to the 1978 approved allocation of \$115,000.00, for the completion of this work.


Lee W. Shipp,
Director of Development
& Revenue.

LWS/sw

Attach.

**J.D.LEE
ENGINEERING
LIMITED**
Consulting
Engineers

1155 DIVISION STREET
P.O. BOX 1267
KINGSTON, ONTARIO K7L 4Y8
TELEPHONE (613) 544-4161

June 4, 1979

Department of Parks & Recreation
City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

Att'n: Mr. Lee Shipp

Re: Wally Elmer Youth Centre
Replacement of Floor Slab & Site Work
Our File No. 1351

Four tenders for this project were received and these are summarized as follows:

<u>TENDERER</u>	<u>TENDER PART "A"</u>	<u>TENDER PART "B"</u>	<u>TOTAL</u>	<u>COMPLETION TIME</u>
1. Carlo Sorensen	\$ 90,000.00	\$ 24,500.00	\$114,500.00	12 Weeks
2. Foley Construction Ltd.	93,199.40	21,453.00	114,652.40	15 Weeks
3. Acton Construction Ltd.	103,917.00	18,117.30	122,034.30	5 Weeks
4. Emmons & Mitchell Ltd.	111,755.00	21,452.50	133,207.50	12 Weeks

The Tenders appear to be complete in all requirements without any additions or erasures. Carlo Sorensen Ltd. submitted a certified cheque in lieu of a bid bond as required in Clause 5 a) of the Information for Tenderers. However, this is not likely significant since the actual tender form as submitted and signed by the tenderer requires under Clause 11 that "the tenderer agrees will forthwith furnish an approved surety for the proper fulfillment of the contract and for 1 years guaranteed maintenance etc. etc. within 14 days after being notified to do so in writing by the Engineer."

The low bidder, Carlo Sorensen Ltd., has done work for us before as well as for the Parks and Recreation Department and his work has been satisfactory in all respects.

2 ../

OFFICES IN TORONTO, KINGSTON AND BRANTFORD, ONTARIO

Dept. of Parks & Recreation - 2 -
City of Kingston
Att'n: Mr. Lee Shipp

June 4, 1979
File No. 1351

You will recall that our letter to you dated March 28th, 1979, estimated the construction cost for work included in the tender at \$156,000 whereas the total amount of Sorensen's bid is \$114,500.

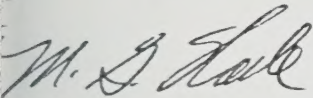
We therefore recommend that the contract be awarded to Carlo Sorensen Ltd. on the assumption that he will be able to provide the required bonding as per the contract documents.

We are returning herewith all original tenders as submitted and we will prepare the tender documents for execution by the low bidder upon your instruction.

We would suggest that your department proceed with the work to be done by City forces as soon as possible. This would enable Carlo Sorensen Ltd. to complete his contract during July, August and September and this conforms to your original timing schedule.

Please advise if you require any further information.

J.D. LEE ENGINEERING LIMITED



M.G. Wade, P. Eng.
MGW:bd

Enc. Original Tenders (4).

JUN 6 1979

Memo to - Mr. R.J. Hamilton, Chief Administrative Officer

Date - June 6, 1979

SUBJECT

Replacement of a Station Wagon and former Police Car

ORIGIN

The 1979 Current Budget as approved included acquisition of two of the police cars, that would be traded on new police cars, to replace a station wagon and a former police car in the Works Department. The Police vehicles are being purchased. Action is necessary for the Works Department to obtain two used police cars.

ANALYSIS

The trade-in value of two police cars, as stated in the tender, was \$1,750.00.

EXISTING
POLICY

The amount the dealer would have allowed the Police Department is transferred to their account by the Works Department. Possession is taken of the used police vehicles.

This leaves the Works Department with two vehicles which will be included as trade-ins when the fall tender for vehicles is called.

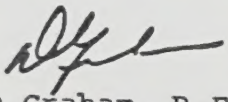
FINANCIAL

The 1979 Current Budget allowed \$800.00 for this transaction. An additional \$950.00 is required. There will be \$903.00 available from the purchase of the flusher. The other \$47.00 would, for the time being, be taken from the funds for the replacement of Wagon #318. This situation would be reviewed after a decision is made on the purchase of the Bombardier walk plows.

RECOMMENDATION

That \$1,750.00 be transferred to the Police Department for two used police cars and the funds be taken from the Reserve for Equipment Replacement.

DG/gg


D. Graham, P. Eng
Commissioner of Works



CORPORATION OF THE
CITY OF KINGSTON

Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 3-7.18

June 1, 1979

M E M O R A N D U M

TO: Mayor Keyes and Members of Council

FROM: R.J. Hamilton, C.A.O.

RE: LEASES FOR COTTAGE LOTS
- TOWNSHIP OF PITTSBURG

ORIGIN - A letter was forwarded by Mr. Murray, present leaseholder of Lot number 5 in the Township of Pittsburgh complaining about the increase in the cost of his lease and he was thereby requesting administration check into the said lease and consider the points he had raised in his letter.

ANALYSIS- The matter of the Lease cost was reviewed by Mr. Cousens and he referred back to a report that was submitted November 2, 1979 wherein he had set out the cost of a five year lease and a ten year lease which we understand Finance had approved the ten year lease rate at a Council Meeting held November 27, 1978. This matter was again reviewed and referred to Mr. Graham for consideration in terms of future possible expansion of the water pollution control plant which would have a direct bearing on some of the lots that are presently being leased. These memorandums are attached for your background.

ALTERNATIVES

The following Department Heads and myself met to consider the alternatives available and this included Messrs. Cousens, Graham, Healy. The position represented by Mr. Graham which was discussed with Gore & Storrie, Consultants in this field, is presented below as an alternative for Councils consideration.

- (1) Lots numbered 1 to 5 should have a five year lease only, subject to review and possibly further extension after the said five years. These lots will not be required in the immediate future, however Mr. Powell of Gore & Storrie was suggesting and Mr. Graham concurred that it was best to have a long term lease of five years at this time. This would enable the City of Kingston expand if it is required in the future with the least possible problem in terms of dealing with the existing leases.

- (2) Mr. Powell suggested and Mr. Graham concurred that Lots 6, 7, 8 and part of Lot 9, should be based on a one year lease with a condition of notice of one year in place if we ask the tenants to vacate.
- (3) Council will recall that in our five year Capital Budget there was a suggestion of a possibility of an expansion at the Water Pollution Plant in 1983 and Mr. Graham is suggesting that if this became a possible requirement, it would be in essence commencing in 1982 to 1984 in actual fact.
- (4) The main complaint Mr. & Mrs. Murray are concerned with is their situation is such that they would like the escalation clause taken out and have the eviction date extended. It is suggested hereby that since they are occupying Lot 5, the normal five year lease would seemingly assist them to some degree at this time.

EXISTING POLICY

This matter has been discussed above based on the action of the Finance Committee and Council in the meetings referred to. We would draw your attention to the fact that in a five year lease, the amount suggested by Mr. Cousens are at a lower level than the ten year lease provided for.

FINANCIAL CONSIDERATION

The amounts shown by Mr. Cousens for the five year lease are set out below.

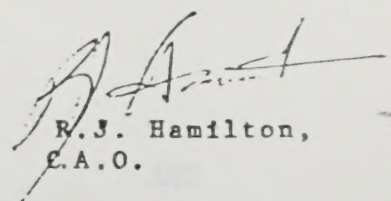
Lot No.	Frontage in Feet	5 Year Lease Per Annum
1	120	\$670.
2	80	445.
3	85	475.
4	80	445.
5	140	780.

The question of what we should charge for the one year lease with a one year notice to vacate will apply to the other three properties. It will be difficult to arrive at the amount to cover these said annual leases. It seems to me that up to about 1½% for the one year lease would seem to be in order based on the foot frontage value of 23.21. This would mean leases would be payable which would mean a rental per foot of \$350 based on a 100 foot lot would be \$350. a year and on 125 foot lot would be \$440. Council should also be advised that these people are also paying taxes on the said buildings as well as the leases that are set out.

RECOMMENDATIONS

We therefore would recommend that Council adopt the suggestion above for five year leases and one year leases for the lots as described.

Yours truly,


R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

MAY 29 1979

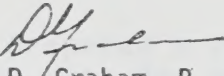
MEMO TO: Mr. R. J. Hamilton

DATE: May 25, 1979

RE: COTTAGE LOTS - TOWNSHIP OF PITTSBURG

The 5 year Capital Budget indicates the possibility of an expansion at the Water Pollution Control Plant in 1983. This would really mean 1982 to 1984.

It is proposed that the 90 day termination clause in the leases be replaced with a clause that would provide one years notice. This would provide sufficient lead time to make the land available for an expansion.


D. Graham, P. Eng.

DG/jc
c.c. B. Cousens
M. Houghton



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

May 24, 1979

TO: Mr. R. J. Hamilton,
C.A.O.

FROM: Mr. B. G. Cousens,
City Treasurer

RE: Cottage Lots Township of Pittsburgh
Our File # 3-17

In reply to your memorandum of May 15th and also your memorandum of May 17th, 1979 concerning the lease on a city owned property to Mr. Murray, I submit herewith the following comments.

In 1978 I prepared a report for the Finance Committee when they were reviewing the rent for the lease of the cottage lots. I arrived at a recommended rent by using Websters Real Estate Appraisal of 1974 and applying those factors to an appraisal at that time made by Mr. McMahon. My recommendation on Mr. Murray's lot was that the rent would be \$1,225.00 per year, plus taxes, and that he would have a ten year lease, with a five year option to renew.

I attach herewith a copy of that report. Subsequently City Council adopted my recommendation, however they also provided that the leases would be increased or decreased by the Consumer Price Index. No mention was made in the Council Resolution of the five year option and also no mention of a ninety day termination clause. It is not clear to me whether Council intended to retain the ninety day termination option clause, however, I understand Mr. Graham is of the opinion that this termination clause should be maintained. I understand that Mr. Graham will be commenting on this clause directly to you. I also attach herewith a copy of the Council Resolution which sets the rents.

If you need any additional information in this matter, please advise.

BGC/jt
Encl.

c.c. - Doug Graham, Commissioner of Public Works

MEMO TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

SUBJECT Parking Control - Albert Street, Both Sides,
Princess Street southerly.

ORIGIN Complaints from property owners regarding all day
parking by employees of nearby commercial establish-
ments.

ANALYSIS a) Existing Parking Regulations:

East Side - No Parking from Princess St. southerly
120 feet, unrestricted parking for the
rest of the block.

West Side - No Parking from Princess St. southerly
75 feet, then fifteen minute parking
for 28 feet in front of the church;
unrestricted parking for the rest of
the block.

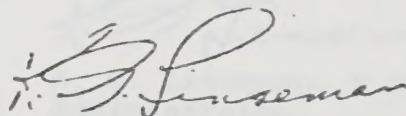
b) Survey:

Survey confirms that cars are being parked all day
and that the fifteen minute parking zone is badly
abused despite enforcement.

RECOMMENDATION a) East Side - That parking meters be installed from
120 feet south of Princess St. southerly
120 feet (2-3 meters) to the south
limit of 465 Albert Street, and that
a two hour time limit be established
from 465 Albert Street southerly 150 ft.

b) West Side - That the fifteen minute parking zone on
Albert Street remain, and that a two
hour time limit be established on
parking from 103' south of Princess
St. 300' southerly.

c) That letters be sent to property owners for comment
or objection to the proposed parking regulations.



K. G. Linseman, P.Eng., M.Sc.,
Administrator.

June 7th, 1979.

MEMO TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

SUBJECT Parking Control - Montreal Street, West Side,
Between John Street and Markland Street

ORIGIN Complaints from residents regarding all day
parking.

ANALYSIS a) Existing Parking Regulations:

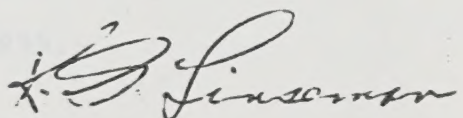
West Side - fifteen minute parking zone near
John Street, unrestricted parking rest of block.

East Side - No Parking.

b) Study:

Observation and comments from residents indicate that cars park for substantial lengths of time. Kentucky Fried Chicken operation has its own parking lot on the west side of Montreal St. and the plaza on the east side also has its own parking lot. The corner store at the southwest corner of Montreal and John Streets is closed. Removal of parking should not provide any hardship to the businesses. Removal of parking will improve the visibility for motorists using John Street, Markland Street, the Kentucky Fried Chicken lot and the plaza. Removal of parking will also assist young pedestrians who frequently cross this section of Montreal Street.

RECOMMENDATION a) That parking be prohibited on the west side of
Montreal Street between John Street and Markland
Street.
b) That letters be sent to property owners for
comment or objection to the proposed parking
regulations.



K. G. Linseman, P.Eng., M.Sc.,
Administrator.

June 7th, 1979.

MEMO TO: R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

SUBJECT: Parking Control - South side of Queen Street,
east of Division Street.

ORIGIN: Electrolux Canada at 332 Queen Street has requested
that the fifteen minute parking meters be changed
to one hour time limits.

ANALYSIS: a) Existing Parking Regulations:

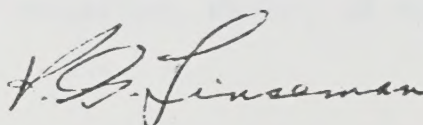
There are five 15 minute meters at the curb,
plus two 15 minute meters at the island.

b) Study:

The delicatessen has been replaced by an expanded
Electrolux store. However, there is a fish and
chip store at the corner of Division and Queen
Streets as well as a hobby shop across the street,
for which some fifteen minute parking would be
beneficial.

COMMENDATION: a) That the five 15 minute meters at the curb be
converted to one hour time limit and that the
two 15 minute meters facing the island be
retained, on the south side of Queen Street.

b) That letters be sent to property owners for
comment or objection to the proposed parking
regulations.



K. G. Linseman, P.Eng., M.Sc.,
Administrator.

June 7th, 1979.

CORPORATION OF THE CITY OF KINGSTON

June 7, 1979

File: A-2

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator

SUBJECT: ADVERTISING - Kingston Advertising Agency - Account

Origin

This office requested Kingston Advertising Agency to place a 1/3 page advertisement in "Plant Location" magazine.

Analysis

"Plant Location", an American publication, was selected for advertising because of its broad circulation in the United States and Canada. The magazine provides a validated reply service for inquiries about this community. Our advertisement was placed through Kingston Advertising Agency without additional cost.

Alternatives

For 1979 Industrial Commission budget consideration, it was suggested that advertisements be also placed in:

- Globe & Mail Industrial Supplement;
- Area Development Magazine;
- Handelsblatt Directory, of Germany.

These items were deleted from the advertising budget, and it was approved that as in previous years, advertising be placed in "Plant Location" magazine, Survey of Markets and Might Directories.

Existing Policy

The Industrial Commission's advertising requirements have previously been placed by Kingston Advertising Agency with the various publishing companies at no additional agency charge. Their account was submitted to the Transportation Committee for approval as per budget allocation.

Financial Considerations

Funds are included in the 1979 Industrial Commission advertising account to cover this invoice.

Recommendations

That the account of Kingston Advertising Agency in the amount of \$815.00, payable in U.S. funds, for a 1/3 page advertisement in the 1979 issue of "Plant Location" magazine, be paid.

MO TO: Mr. R. J. Hamilton, Chief Administrative Officer.

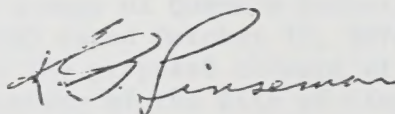
OM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

BJECT Street Closing - Part of Queen's Crescent,
between University Avenue and Albert Street.

IGIN a) Queen's University to Transportation Committee.
b) Transportation Committee referred request to
Committee-of-the-Whole.

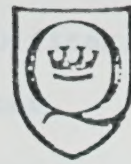
ALYSIS a) This section of Queen's Crescent has been
closed for almost a year without any traffic
flow problems.
b) Improved safety has resulted for the high
number of pedestrians using Queen's Crescent.
c) No objections from the Fire Chief to the
proposed plan.
d) Reviewed by the City of Kingston/Queen's
University Liaison Committee.

COMMENDATION That Queen's Crescent be closed on the basis of
Plan 63-LO65, which shows the proposed landscaping
at the centre of the block to prevent through
traffic, and restricted areas at University Avenue
and Albert Street to discourage traffic from
entering the area unnecessarily.



K. G. Linseman, P.Eng., M.Sc.,
Administrator.

June 7th, 1979.



MAY 7 1979

VICE-PRINCIPAL (SERVICES)

Queen's University
Kingston, Canada
K7L 3N6

May 4, 1979

Mr. R. J. Hamilton,
Chief Administrative Officer,
City Hall,
Kingston, Ont.

Dear Mr. Hamilton,

Re: Street Closing - Part of Queen's Crescent
between University Avenue and Albert Street

On June 12, 1978 City Council approved Clause 6 of Report No. 59 of the Transportation Committee which recommended that no action be taken at that time to repeal By-law No. 9034 "A By-law to Stop up and Close a Portion of Queen's Crescent between University Avenue and Albert Street". This action was taken at the request of the University so that the property, financial, legal and planning implications of the permanent closing of Queen's Crescent could be assessed by both the University and the City. The Transportation Committee was to undertake a further review of the street closure after October 31, 1978.

The University has carried out a further assessment of pedestrian and traffic movements in the area and has come to the conclusion that the closing of Queen's Crescent between University Avenue and Albert Street would be highly desirable in view of the high density of pedestrian traffic while students move between classes and from the residences to the University. At the same time, it is not considered that the proposed closing would have any adverse effect on the movement of essential vehicle traffic in the area.

I am forwarding herewith a copy of Queen's University, Department of Physical Plant Drawing No. 63-L065 dated October 12, 1978 (as amended May 2, 1979) which shows details of the proposed closure of Queen's Crescent. This proposal was discussed at a meeting of the City of Kingston-Queen's University Liaison Committee on February 13, 1979 and has since been reviewed with Chief Cowdy and Mr. Linesman. I understand that they have no objections to the proposal from the technical point of view.

It would be appreciated if the matter could be referred to the Transportation Committee for further consideration with a view to obtaining

agreement to the closure of Queen's Crescent on the basis shown on the attached drawing. I hope that the matter can be given early consideration so that a decision can be given in time to carry out the necessary work this summer if the proposal is agreed to.

Yours very truly,

H. Morris Love

H. M. Love,
Vice-Principal (Services).

hml/kbm/ma
encl.

7-3186

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

SUBJECT: Widening of Princess Street to Five Lanes from
196.28 meters (644') east of Portsmouth Avenue
to 191.50 meters (628.3') west of the Parkway,
including the widening of approaches to Princess
Street on Portsmouth Avenue.

ORIGIN: Traffic and Streets Department.

- ANALYSIS
- a) Daily traffic volumes are in excess of 18,000 vehicles per day, while the street capacity is 12,000 vehicles per day. Substantial traffic congestion occurs during the peak hours.
 - b) Project includes a median, upgrading of street lighting and the conversion of the traffic signal at Princess and Portsmouth from fixed time control to a fully actuated system.
 - c) Several meetings were held with property owners regarding access. A complete review of entrances was conducted and modified at the request of the Gurnseys.
 - d) Transportation Committee had approved the functional design. Public Works Department and Public Utilities Commission have provided cost estimates. Presentation was made to Ministry officials in Toronto in February 1978.

FINANCIAL

- a) Cost Estimate:

Total Cost	\$587,500.
M.T.C. Subsidy	418,000.
Debenture Amount	169,500.

- b) Capital Budget for 1979 included \$225,000 for the widening of Princess Street to five lanes with intersection improvements, in two stages:
 - i) 300' east of Portsmouth Avenue to Little Cataraqui Creek, debenture amount \$125,000.
 - ii) 360' west of Sir John A. Macdonald Blvd. to 300' east of Portsmouth \$100,000.
- c) Cost estimate is higher for the following reasons:
 - i) 344' of widening in Stage 2 is being included in Stage 1 in order to reduce total construction costs by avoiding temporary tapers.
 - ii) \$20,000 has been included in Stage 1 in order to relocate poles for Stage 2 at the same time as the poles are relocated in Stage 1.
 - iii) Approximately 1500' of existing Princess St. is being replaced for grade reasons, as recommended by the Public Works Department.
 - iv) Original estimate was a rough estimate for budgeting purposes without any design or plans.

FINANCIAL

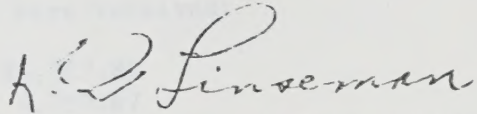
(continued)

- d) Most of the above project is eligible for 75% subsidy. Upgrading of signal light is eligible for 50% subsidy. No subsidy for street lighting or tree fund.

RECOMMENDATION

That a construction by-law be initiated for the reconstruction and widening of Princess Street to five lanes from 196.28 meters (644') east of Portsmouth Avenue to 191.50 meters (628.3') west of the Parkway, including the widening of approaches to Princess Street on Portsmouth Avenue.

Total Cost	\$587,500.
M.T.C. Subsidy	418,000.
Debenture Amount	169,500.



K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

June 8th 1979.

Mr. R. J. Hamilton,
Chief Administrative Officer.

RE: NEWCOURT FIELDS

Dear Mr. Hamilton:

Last year servicing was substantially complete except a sidewalk on the south side of Newcourt Drive. To finalize the servicing a deposit of \$6,410 was made with the City. Our intent was to include the project in our 1979 walk tender for construction in August or September.

Splinter owns the property on the south side of Newcourt Place. The zoning has been changed and row type condominiums have been built. He feels completion of the walk and boulevard would help sales.

To assist him we have prepared and sent out four tenders (one to Splinter). The following tenders were received:

J. Sousa Contractor Limited	\$4,367.82
Spada Tile Inc.	4,793.67
Board of Works	8,075.76

Yours truly,

D. Graham,
Commissioner of Works.

REPORTS (Cont'd)

Report No. 66 - City of Kingston Planning Board

Ald. Clements presented Report No. 66 of the City of Kingston Planning Board.

Moved by Ald. Clements,
Seconded by Ald. Knapp,

That Report No. 66 of the City of Kingston Planning Board be received and adopted, clause by clause.

REPORT NO. 66

June 7, 1979

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. That, as recommended by the Development Control Committee, the following plans, submitted by Mills Office Supplies Ltd., for a retail office supplies building at the corner of Brock & Bagot Streets:

Plan A-SK-1 Plans & Elevations - Scale as
Shown - Dated February 2, 1979

Plan 2 - Perspective - Dated May 17, 1979

(Architects: MacLennan & Associates)

be approved, subject to the owner entering into a development control agreement, which shall include the following conditions:

- a) that development shall be in accordance with the above listed plans;
- b) that the interior layout as shown on Plan A-SK-1 shall not be subject to the requirements of development control;
- c) that the design and location of all exterior lighting and signs shall be subject to City approval;
- d) that all exterior air conditioning and other mechanical units shall be subject to City approval;
- e) that any new storm water connection to the existing combined sewers will require the approval of Council, and shall be connected by separate storm service to the main sewer at the point where the existing service is connected, and controlled flow roof drains shall be installed;
- f) that if water sprinklers are to be installed the water service shall be a minimum of 6"ø from the existing mains;
- g) that the electrical service shall be at 120/208V, three phase up to a 400 A maximum from the existing manhole at the corner of Bagot and Brock Streets.

REPORTS (Cont'd)

Report No. 66 - City of Kingston Planning Board

WHEREAS it was a condition of a development control agreement, dated October 24, 1978, , between the City and Maurice Rollins Construction Ltd., with respect to construction of a motel at Princess Street and the Parkway, that plans for design and location of the Princess Street entrance, exterior lighting and garbage enclosure be submitted for City approval; and

WHEREAS such plans have now been submitted as follows:

Plan #1(a) - Site Plan & Particulars - Scale 1"=20'
Revised- May, 1979

Plan #2(a) - Floor Plan & Elevation - Scale 1/8"=1'0"
Revised, October, 1978

Plan #3(a) - Elevations - Scale 1/8"=1'0" -
Revised, May 1979

Plan #6 - Service Plan - Scale 1"-20' - Revised
May, 1979

Plan L-1 - Exterior Wall Light - May, 1979

Plan L-2 - Exterior Wall Light Specifications -
May, 1979

Plan L-3 - Post Lights - May, 1979

Plan L-4 - Post Mount - May, 1979

Plan G-1 - Garbage Screen, May 1979

(Maurice H. Rollins Construction Ltd., Designer);and

THEREFORE BE IT RESOLVED THAT the above-mentioned plans with respect to garbage enclosure, exterior lighting and the location of the Princess Street entrance be accepted in fulfilment of the conditions of development control, on the following conditions:

- (i) that the relocation of the Princess Street vehicular access point shall be in accordance with the recommendation of the Administrator of Traffic and Streets;
- (ii) that design and location of exterior lighting shall be subject to the condition that the lamp standard at the south-east corner of the site shall be such as to ensure that light is not directed onto the abutting residential property to the south and that the manner of achieving this shall be satisfactory to the Development Control Committee.

CARRIED

REPORTS (Cont'd)

Report No. 66 - City of Kingston Planning Board

3. WHEREAS a development control agreement dated March 9, 1978, and amended January 13, 1979, was entered into between the City and Beaufort Realities (1964) Ltd., with respect to a pizzeria restaurant and tavern located at Bath Road, and Queen Mary Road; and

WHEREAS it was a condition of such development control that plans for landscaping and a buffer wall along the east side of the property be submitted for City approval; and

WHEREAS the following plans have now been submitted:

Plan #1 - Masonry Fence Detail - Scale as Shown -
Dated April 26, 1979

Plan #2 - Landscaping - Scale 1"=20' - Dated
December 18, 1978

(S.G. Resetnik - Architect; Oshawa Garden Service)

and

WHEREAS in the opinion of the Development Control Committee the above-mentioned plans fulfil the conditions of development control;

THEREFORE BE IT RESOLVED THAT the above-listed plans be accepted in fulfilment of the conditions of the aforementioned development control agreement.

CARRIED

4. WHEREAS a development control agreement between the City and Edward Bak was entered into on November 8, 1978, and subsequently amended March 12, 1979, with respect to a restaurant and office-retail complex in two buildings at the corner of Princess Street and Frontenac Street; and

WHEREAS it was a condition of such development control that plans with respect to landscaping and exterior signs be submitted for City approval; and

WHEREAS the following plans have now been submitted:

Plan L-1 - Landscaping - Scale 1"=20' - March 1979

Dwg. 252B- Sign Plan - Scale: As Shown - May 30, 1979

(Dominik, Polson, Thompson, Laframboise & Mallette,
Designers - Landscaping; Exterior Signs - Sign)

THEREFORE BE IT RESOLVED THAT, as recommended by the Development Control Committee, the above-mentioned plans with respect to landscaping and exterior signs be accepted in fulfilment of the conditions of development control..

CARRIED

REPORTS (Cont'd)

Report No. 66 - City of Kingston Planning Board

5. That, as recommended by the Development Control Committee, the following plans submitted by Kingston Lath & Plaster, with respect to construction of a warehouse and office on the west side of Lappans Lane:

Plan #1 - Site Plan - Scale 1"-40' - May 17, 1979

Plan #2 - Elevation & Floor Plan - Scale 1/8"=1'0"
Dated April, 1979

(John Saccon, Designer)

be approved, subject to the owner entering into a development control agreement, which shall include the following conditions:

- a) that development shall be in accordance with the above-mentioned plans;
- b) that prior to issuance of the building permit grading and servicing drawings shall be to the satisfaction of the Commissioner of Works;
- c) that the storm drainage ditch which crosses the owner's land shall be maintained by the owner;
- d) that the water supply shall be from the existing 8"Ø water service at the south property boundary;
- e) that the electrical supply shall be from the pole line on Lappan's Lane;
- f) that prior to issuance of a building permit the owner shall submit a phasing plan for the paving of all areas allocated for the parking, circulation and access of vehicles, and said plan shall require the approval of the Development Control Committee;
- g) that the design of all exterior signs shall be submitted for City approval;
- h) that a 20 ft. x 73 ft. area shall be allocated for landscaping purposes at the westerly end of the proposed building.

CARRIED

Respectfully submitted,

Mayor Keyes

John Clements

W. Knapp

* * *

COUNCIL

Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That the Report of the Committee of the Whole be adopted, approved
and confirmed.

CARRIED

MOTIONS

- (1) Moved by Mayor Keyes,
Seconded by Ald. Webb,

That the sympathy of Council be extended to the family of the late
Howard Sly.

CARRIED

- (2) Moved by Ald. Webb,
Seconded by Ald. Clements,

That the condolences of Council be extended to the family of the
late Douglas Adley.

CARRIED

- (3) Moved by Mayor Keyes,
Seconded by Ald. Webb,

That the sympathy of Council be extended to the family of the late
former Police Chief, Robert Nesbitt.

CARRIED

NOTICE OF MOTIONS

- (1) Moved by Ald. Hawkins,
Seconded by Ald. Webb,

That Council review the tree fund policy as it relates to Clause 16,
Report No. 65.

REFERRED TO THE COMMISSIONER OF WORKS,
COMMISSIONER OF PARKS & RECREATION AND THE
ADMINISTRATOR, TRAFFIC, STREETS & PARKING

- (2) Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That By-Law No. 1 be amended to accommodate a summer schedule for
Council - Council meetings shall be Monday, July 9th, Monday,
July 23rd, Monday, August 13th and Monday, August 27th.

REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER

BY-LAWS

Council consented to the withdrawal of By-Law No. 2 because of the rewording of Clause 3, Report No. 65.

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That By-Law Nos. 1 and 3 be given their First & Second Readings.

CARRIED

- (B) Moved by Ald. Matthews,
Seconded by Ald. Tarnowecky,

That Rule No. 35 of By-Law No. 1 be suspended for the purpose of giving By-Law No. 3 its Third Reading.

CARRIED

- (C) Moved by Ald. Lampropoulos,
Seconded by Ald. Knapp,

That By-Law Nos. 3 to 7 be given their Third Reading.

CARRIED

- (1) A By-Law to Authorize the Reconstruction and Widening of Princess Street to Five Lanes from 196.28 Meters (644') east of Portsmouth Avenue to 191.50 Meters (628.3') West of the Parkway, Including the Widening of Approaches to Princess Street on Portsmouth Avenue. (General Rate)

(FIRST & SECOND READING)
Clause 16, Report No. 65, 1979

Proposed No. 79-120

- (2) A By-Law to Establish and Operate an Elderly Persons' Centre in the Municipality of Kingston (Hildegard Centre).

(THREE READINGS)
Clause 3, Report No. 65, 1979

Proposed No. 79-121

WITHDRAWN

- (3) A By-Law to Confirm the Proceedings of Council at its meeting held on June 11, 1979.

(THREE READINGS)
City Council Meeting No. 23

Proposed No. 79-122

- (4) A By-Law to Authorize the Construction of a Curb, Gutter, and Boulevard on the West Side of Montreal Street, from Russell Street to 105 feet South of Railway Street, Under the Provisions of Section 7 of The Local Improvement Act. (Petition)

(THIRD READING)
Clause 5, Report No. 49, 1979

Proposed No. 79-85

BYLAWS (Cont'd)

- (5) A By-Law to Amend By-Law No. 9259, "A By-Law to Authorize Alterations to the Elmer Youth Centre at a Cost of \$115,000 and the Purchase of Equipment for the Cook Youth Centre at a Cost of \$35,000." (Increase Cost of Elmer Youth Centre to \$160,000.)

(THIRD READING)
Clause 2, Report No. 52, 1979

Proposed No. 79-95

- (6) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of The City of Kingston" (Permit Bell Canada Buildings and Facilities in All Zones).

(THIRD READING)
Clause 1, Report No. 61, 1979

Proposed No. 79-115

- (7) A By-Law to Amend By-Law No. 2958, "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs".

(THIRD READING)
Clause 9, Report No. 63, 1979

Proposed No. 79-116

* * *

UNFINISHED BUSINESS

Alderman Webb referred to Communication No. 328 and asked if the matter of the expropriation of land owned by Empire Warehouses Limited would be back before Council.

Mayor Keyes said that it will have to come back to Council again. The Inquiry Report had been distributed and it will be referred to the Administrator of Traffic, Streets and Parking for a report to Council. Council will then decide whether or not to pass a by-law to expropriate this property under the terms set out in the report.

In answer to a question from Alderman Webb, Mayor Keyes explained that the report of the Inquiry Officer is not binding upon the City.

Alderman Webb asked for a report as to why the sidewalk at the foot of Brock Street beside Howard Johnson's Hotel was replaced with asphalt instead of concrete.

Alderman Webb said that the spaces on the market square had been numbered. He had understood that the area in front of the Social Services Department was to be kept clear of cars and was not to be used by the market gardeners yet this area had been numbered. He had also noticed double numbering. He asked for a report in this matter.

UNFINISHED BUSINESS (Cont'd)

Alderman Webb said that the Late Mr. Sly had received some very nice compliments from the local media. He would not attempt to improve on this. He said that he believed that the Late Mr. Sly was one of the people out of the whole surrounding area that could be spared less. He was the focal point of the whole construction industry. He built many many houses in the townships and the city and created many developments. This should not be overlooked. He said that he felt the City had suffered a great loss. Also a loss with regard to the Late Mr. Adley who communicated with the City many times with regard to the different projects. He said that a motion had been passed by City Council expressing their sympathy to the members of the Family but he believed it would be fitting for the City flag to be placed at half mast in honour of the Late Mr. Sly who had made such a gigantic contribution to the City of Kingston and the surrounding communities. He said that a memorial service would be held for the Late Mr. Sly on Wednesday afternoon at 3.30 p.m. at the James Reid Funeral Home.

Mayor Keyes said that the funeral of the late Police Chief R. Nesbitt would be held Wednesday afternoon at 2 p.m. at the Reid Funeral Home at the corner of Barrie and Johnson Streets.

Alderman Lampropoulos reported on the JOG-A-THON. Mayor Keyes, the Commodore of Royal Military College, The Honourable Keith Norton, and the Honourable Flora MacDonald had agreed to participate in the opening ceremonies and in the JOG-A-THON. He encouraged the members of Council and their families to participate.

Alderman Knapp asked if the policy with regard to Notices of Motions is that the Department Head concerned would contact the mover and seconder of the motion to discuss the matter.

Alderman Knapp said that the agenda for the Council Meeting is received on Friday. This only gives one working day for the members of Council to contact the staff at City Hall to ask any questions. He asked if it is possible to have the agenda delivered earlier. Perhaps the Department Head Meetings could be held on Tuesday and the agendas delivered on Wednesday.

Alderman Knapp said that in large developments where there are adequate parking facilities provided under the Development Control Agreements, the owners of the developments are charging the tenants extra for parking. This results in the tenants parking on the City streets. He asked if it would be possible to require that the owners include the fees for parking in the rentals.

Mayor Keyes said that he appreciated the fact that it is difficult to discuss motions with the Department Heads but this would be discussed with the Chief Administrative Officer.

Alderman Gorham said that he would appreciate receiving his agenda a day earlier. He asked if it would be possible to have the items related to

one department placed together on the agenda as he had noted that this evening the Commissioner of Works had a number of items and had to wait as one clause was at the beginning of the report and the other clause at the end of the report.

Alderman Gorham said that he would like to congratulate the workers, organizers and participants in Folklore. He had attended and enjoyed Folklore and had visited 90% of the pavilions.

Mayor Keyes said that he could appreciate the comments made by Alderman Gorham with regard to the grouping of items on the agenda. However, the last item related to the Public Works Department was only received that afternoon. It would normally have been placed on the agenda for the next meeting but was added in order to speed up disposition of the matter.

COMMUNICATIONS (Cont'd)

Alderman Clark said that he had arranged for the film "What You Are is What You Were When" to be shown at "The Loft", Newcourt House, St. Lawrence College on Tuesday, June 26th at 7.30 p.m. An invitation was extended to members of Council and the Department Heads and he would request that they notify the Mayor's office if they were going to attend.

Alderman Clark said that he had had a tour of the airport and had requested the Administrator to arrange for a tour for all members of Council. An invitation was distributed to all members of Council this evening.

At the request of Mayor Keyes, it was agreed that the tour would commence at 6.30.

Alderman McArthur said that he was really concerned at the Property Standard Inspections in the NIP area. He explained that a list was forwarded some time ago to the City Hall by the NIP Area Citizens Committee of the houses to be inspected and arrangements had been made by the former Clerk-Comptroller for the inspections to be done. This had tied up the time of the two Property Standards Officers. The owners of these houses had maintained their homes over the years but were not in a position to complete all the requirements laid on by the inspections. He had been in on the beginning when meetings were held with students who were very involved in getting the NIP Program going. He was in favour of this program but did not believe that a citizens' group should be forwarding addresses to City Hall for Property Standards Inspections.

Alderman Bishop said that he had received a request that Greer Street be completed down to the end. There is a resident at the end of the street and the road is not completed.

Alderman Tarnowewsky displayed a copy of "Summer Recreation '79", an insert in the Whig-Standard, and congratulated the Parks and Recreation Department for the composition and the lay out. This supplement was a joint effort with the Township of Kingston. Since the Committee of the Whole is in the Implementation Stages he would ask the Chief Administrative Officer to answer two questions:

- a) Would it be an administrative function or policy function of the Council to indicate as to whether or not the City would advertise mutually with different municipalities?
- b) Would it be a policy function of Council to indicate as to whether this advertisement should appear?

Will the administration be able to choose where and how City advertisement will appear?

Alderman Tarnowewsky said that it was a pleasure to receive, on behalf of the City Council and the City of Kingston, a wall hanging from the "Les Franginois". This group had appeared at Folklore, from Boucherville, as arranged by the Intercity Exchange Committee. They had been excellent and he was hoping to have them back for the opening of the Grand Theatre in September. He presented the wall hanging to Mayor Keyes.

Mayor Keyes said that he appreciated receiving the wall hanging and the group being able to appear at Folklore.

Alderman Gerretsen said that he believed that it would be a good idea for administrators to appear one at a time and sit somewhere at the centre table.

COMMUNICATIONS (Cont'd)

Alderman Gerretsen asked if there was something wrong with the microphone system in the Council Chamber. He asked that this be looked into.

Alderman Gerretsen said that with the committee system, the members of Council had received reports from the department heads as to problems, proposals for their departments, etc. He asked if in the Committee of the Whole these matters would be dealt with on the basis of recommendations from the Chief Administrative Officer.

Mayor Keyes said that Council some evening might review the departments. There was not the contact now between the heads of the departments and the committee chairmen.

Alderman Gerretsen said that with the committee system it was not unknown for there to be 60 items on the Finance Committee agenda. To-day in the Committee of the Whole, there are 16 items on the Chief Administrative Officer's report. He asked what has happened to the 60 items say on the Finance Agenda and the matters dealt with by the other committees. He asked if these had been purely administrative items.

The Chief Administrative Officer said that the Council would find that the information that had been on the agendas and no action required would be sent to the Council members periodically. These would be items that do not require Council action. He proposed that these will come through from the Department Heads and be distributed to Council every second week.

The Chief Administrative Officer said that the Council may have five different reports from Department Heads consolidated into one report. The Council should read the Department Head minutes as many of the items might be of interest to them.

* * *

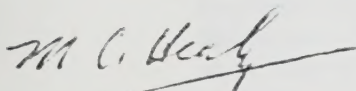
ADJOURNMENT

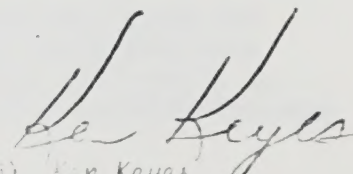
Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Council do now Adjourn.

CARRIED

Council Adjourned at 11:00 p.m.

 (L.S.)
(Signed) M. C. Hardy,
City Clerk


(Signed) Ken Keyes,
Mayor



CITY COUNCIL MEETING NO. 24

The regular meeting of City Council was held on Monday, June 18, 1979 in the Council Chamber, City Hall at 7:05 p.m. His Worship Mayor Keyes presided.

ROLL CALL .

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements (arrived at 7:10 p.m.) Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowewsky, Ald. Webb (14)

MINUTES

Moved by Ald. Clark,
Seconded by Ald. Gorham,

That the minutes of Council Meeting No. 22 held on June 4, 1979 be adopted as printed.

CARRIED

PETITIONS

COMMUNICATIONS

Council consented to the addition of Communication Nos. 337 to 399.

Referred to the City Treasurer

- (329) From The Regional Municipality of York requesting that the City endorse the following resolution:

"WHEREAS a substantial portion of the assistance from the Province to Municipalities including this Regional Municipality is by way of conditional grants;

AND WHEREAS, conditional grants encourage Municipalities to spend large sums of monies in order to obtain such grants and thus either maintain or increase the current tax burden to the Region's taxpayers;

AND WHEREAS, conditional grants are inconsistent and contradictory to the Province's espoused policy of fiscal restraint and local autonomy;

AND WHEREAS, such conditional grants emasculate and render ineffective the policy powers of local and Regional Municipalities;

AND WHEREAS, it is submitted that Local and Regional Municipalities are the bodies most competent to effectively and efficiently decide the allocation of their financial resources to best benefit their citizens;

NOW THEREFORE BE IT RESOLVED, this Council petition the Province to amend their Municipal assistance program to be on a formula or other unconditional basis, at the earliest opportunity and this motion be circulated to other Ontario Municipalities requesting their endorsement and to A.M.O."

June 18, 1979

COMMUNICATIONS (Cont'd)

Filed

- 30) From the Ontario Association of Fire Chiefs notifying Council that at their 27th Annual Conference held in Cornwall on May 7, 1979, they elected Chief K. Cowdy as a Director of the Association for the forthcoming year. (File No. 6-3)
- 31) Statement of Revenue & Expenditures for the month of April, 1979 from the Public Utilities Commission of the City of Kingston, Transit Department, showing the following deficits:

	1979 Budget Estimates	1979 to date	Month of April 1979	1978 to date
Operating Deficit	\$861,088.	\$234,318.	\$78,340.	\$185,477.
Debentures	27,645. \$888,733.	9,215. \$243,533.	2,304. \$80,644.	9,230. \$194,707

File No. 17-11.2)

Referred to the Parks & Recreation Commissioner

- 332) From the Kingston and District Labour Council advising the City that they will be hosting their annual Labour Day Fest at Lake Ontario Park on September 3, 1979. In conjunction with this event they plan to erect a Marquee which will operate between the hours of 12:00 noon and 12:00 midnight on September 3rd. In order to secure the approval from the Liquor Control Board of Ontario, they are requesting approval for this event from City Council. (File No. 12-5)

Filed

- 333) From the Minister of Revenue acknowledging the City of Kingston's letter notifying of the endorsement of the resolution of the City of Kitchener pertaining to an annual dog census, which reads, in part, as follows:

" I think it appropriate to remind you of the circumstances under which the assessor was involved in conducting dog counts in the province until 1971. The authority requiring assessors to perform this function was contained in the then named Dog Tax, and Live Stock and Poultry Protection Act which is now called The Dog Licensing and Live Stock and Poultry Protection Act, pursuant to a substantial amendment which was passed in 1972. Until 1972 a tax was levied on all dogs unless the municipality had passed a by-law levying a license fee in excess of the statutory rates of tax. Where such a license fee was levied, the assessor did not perform any dog counts.

COMMUNICATIONS (Cont'd)

(333) Cont'd)

When The Act was changed in 1972, the emphasis was shifted from one of taxation and revenue generation to one of regulation and control. Since taxes were no longer involved, and the authority for municipalities to require dog licenses was permissive, the assessor no longer had any relevance to the operation. In response to one statement in the resolution, I believe that the fact that the annual enumeration is conducted by part-time personnel is unrelated to any consideration of whether or not the enumeration should be expanded.

Most importantly, the Ministry of Revenue is concerned, at enumeration time, with fulfilling certain legislated mandates affecting assessment and taxation, municipal elections, census and jurors. As you know, enumeration is a difficult undertaking, and is often subject to criticism. Our experience in the field demonstrates that the addition of questions, unrelated to our statutory obligations, would serve to create additional problems with respondents to the detriment of the central purpose.

Dog licensing is an optional municipal prerogative. I would suggest, therefore, that if such a programme is desirable, it would be best undertaken by the municipal administration.

I regret, therefore, that I am unable to accommodate your request. "

(File No. 19-7)

Filed

- (334) From the Ministry of Intergovernmental Affairs informing the City that they have introduced two amending bills. These bills are, "The Public Utilities Amendment Act, 1979" and "The Municipal Amendment Act, 1979". (File No. 13-6.1)

(Note: Copies of Amending Bills have been distributed to members of Council)

Filed (Has been Referred to the City Engineer)

- (335) From the Ministry of Transportation and Communications notifying:
- (1) that a new Ontario Bridge Design Code is now available which provides a much improved basis for the analysis of safe loading of structures; and
 - (2) suggesting that municipalities should have a professional engineer carry out analysis of municipal bridges that have been rated in the 7 - 9 Ton and 10 - 17 Ton categories, the cost of which would be eligible for subsidy. (File No. 17-9.1)

COMMUNICATIONS (Cont'd)

Filed

- (336) From the City Engineer reporting on communication 335, stating:

"The bridges in the City and under City jurisdiction, are rated at zotons or above the capacity mentioned in Mr. Wigle's letter. They are all relatively new and were appraised by the City in 1977. No action appears to be warranted by the City. The letter notes a new Ontario Bridge Design Code is available. We will follow up on this.

The bridge over the rail siding or spur on River Street at Rideau is within the capacities mentioned by the M.T.C. A communication from C.P. in 1954 shows maintenance to be the responsibility of the Kingston Smelting Company. I believe C.P. carried out major repairs within the last ten years."

Filed

- (337) A copy of a letter to Queen's University from The Liquor Licence Board of Ontario acknowledging receipt of an application for additional lounge facilities at Queen's University, Main Campus & West Campus.
(File No. 12-6)

Referred to the City Treasurer

- (338) From the Corporation of the City of Windsor requesting that the City endorse their following resolution:

"THAT WHEREAS expenditures in all municipal services have risen significantly in recent years;

AND WHEREAS expenditures in police services have increased proportionately greater than other services, and major cities in the Province of Ontario are experiencing a heavy financial burden in the cost of policing;

AND WHEREAS the cost of policing in regional areas is no greater than the cost of policing in major urban municipalities;

AND WHEREAS the provincial subsidy to regional forces exceeds by 50% the subsidy provided to municipal forces;

AND WHEREAS the level and quality of policing must be maintained and improved in terms of the objectives of crime control, protection of life and property, and peace and order, throughout the Province;

THEREFORE BE IT RESOLVED that the Government of Ontario be urged to give immediate attention to the equalization of per capita grants, for policing to major urban municipalities and regional areas, thereby eliminating the present obvious gross inequity."

COMMUNICATIONS (Cont'd)

Referred to the Chief Administrative Officer

- (339) From the Municipal Corporation of the Village of Iron Bridge requesting a donation from the City to assist the "Flood Victims" of the area of Iron Bridge, Day and Bright Additional and Cobden Township that suffered approximately \$500,000. damage in the Mississagi Flood.
(File No. 7-3)

COMMITTEE OF THE WHOLE

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

CARRIED

- (B) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Council arise from the Committee of the Whole and the Chairman Report.

CARRIED

Mayor Keyes reported that Report Nos. 67, 68, 69 and 70 were considered in the Committee of the Whole as follows:

REPORTS

Ald. Miller presented Report No. 67 of the City of Kingston Planning Board as follows:

Council consented to the deletion of the word, "Federal" in the second paragraph of Clause 5 and the substitution of the word, "Provincial".

Moved by Ald. Miller,
Seconded by Ald. Knapp,

That Report No. 67 of the City of Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 67

June 13th, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS on March 14, 1977, Allimor Corporation Limited entered into a Development Control agreement with the City of Kingston with respect to construction of a building at the corner of Ontario and Brock Streets:

REPORTS (Cont'd)

Report No. 67 - Planning Board

1. Cont'd

WHEREAS it was a condition of such agreement that the area to the rear of the hotel would be used for landscaping only; and

WHEREAS the owner has now submitted plans for a swimming pool and landscaped area to the rear of the hotel, such plans being in conformity with the owner's lease from the Federal Government, which is the owner of the land on which the pool is to be located;

THEREFORE BE IT RESOLVED that the Development Control Agreement between the City of Kingston and Allimor Corporation Limited dated March 14, 1977, be amended to delete clause 3(iii) - restriction of subject site to landscaping only;

AND BE IT FURTHER RESOLVED THAT the following plans, submitted by Mr. Ron F. Morrison for construction of a swimming pool at the rear of the Howard Johnson Confederation Place Hotel:

Plan #1 - Plan, Cross Section & Perspective -
Scale as shown - May, 1979

(E.A. Cromarty - Architect - AquaMac Pools)

be approved, subject to the owner entering into a development control agreement which shall include the following conditions:

- a) that development shall be in accordance with the above listed plans;
- b) that the Harbour Master's office shall be connected to the sanitary sewer by the owner in a manner which is acceptable to the Commissioner of Works, and that this shall be done prior to installation of the pool;
- c) that pool drainage shall be to the City's sewer system in a manner which is acceptable to the Commissioner of Works;
- d) that the water supply for the pool shall be from the existing Ontario Street water service supplying the hotel;
- e) that the height of the louvred fence along the south and east limit of the decked area as shown on Plan #1 shall be not over 2.1m (7 feet) above existing ground level;
- f) that the parking garage doors at the north end of the east wall which are required for emergency use shall be kept free and clear so that access to an outside yard area is available at all times and shall not be fenced as shown on Plan #1;
- g) that all fencing, including boundary fence around the land leased from the Minister of Transport shall be of a louvred cedar type similar to that specified on Plan #1, and final specifications and design shall be subject to the approval of the Development Control Committee;

REPORTS (Cont'd)

Report No. 67 - Planning Board

1. Cont'd

- h) that the owner shall be responsible for restoring the walkway on railway land at the rear of the hotel site, including moving the patio stones so that they are entirely on railway land, such work to be completed by December 31, 1979 to the satisfaction of the Commissioner of Parks & Recreation;
- i) that the subject area shall be landscaped such landscaping to be completed by December 31, 1979, to the satisfaction of the Commissioner of Parks & Recreation;
- j) that approval shall be subject to the approval of the Minister of Transport.

*CARRIED**Ald. Gerretsen Opposed*

- 2. WHEREAS Paron Construction Inc., has requested that the Minister of Housing give condominium approval to a 123 unit apartment building located on Ontario Street, between Clarence and Johnson Streets; and

WHEREAS the Minister in turn has requested the comments of the City in this matter; and

WHEREAS the subject property was the subject of a Development Control approval in 1978 and a Development Control agreement is now in force; and

WHEREAS the approval at that time was given on the understanding that the apartment units would be sold individually under the Condominium Act;

THEREFORE BE IT RESOLVED THAT it be recommended to the Minister of Housing that condominium application 10 CDM 79-002 Paron Construction Inc., be approved subject to the following conditions:

- a) that approval is limited to the sale of the individual apartment units under The Condominium Act and does not apply to the hotel or office building portion of this development complex;
- b) the approval in no way constitutes approval of any phasing program, changes in design, or changes in the development control agreement now in force for this entire development complex;
- c) the approval shall in no way constitute permission for land division of any portion of this development complex.

CARRIED

REPORTS (Cont'd)

Report No. 67 - Planning Board

3. WHEREAS the building at 6 Princess Street has been designated under The Ontario Heritage Act 1974 as being of architectural and historic significance; and

WHEREAS it is a provision of such designation that any sign erected upon a designated building shall be subject to the approval of the Local Architectural Conservation Advisory Committee; and

WHEREAS a sign was erected without such approval on the building at 6 Princess Street and, in the opinion of the Local Architectural Conservation Advisory Committee, is not suitable for this location; and

WHEREAS an application for approval of the sign has now been submitted by Norbro Ltd., owner of the building;

THEREFORE BE IT RESOLVED that, as recommended by the Local Architectural Conservation Advisory Committee, the application for approval of a sign located on the designated building at 6 Princess Street NOT be approved.

CARRIED

Ald. Bishop Opposed

4. That, as recommended by the Local Architectural Conservation Advisory Committee, the buildings shown on Schedule 'A' attached hereto be designated to be of architectural and/or historic significance, for the stated reasons, pursuant to The Ontario Heritage Act, 1974.

CARRIED

5. WHEREAS the City has attempted to designate as being of architectural and/or historic significance buildings which are owned by the Provincial and/or Federal governments; and

WHEREAS the Provincial government has objected to such designation on the grounds that The Ontario Heritage Act, 1974 does not bind the Crown, and has asked that the City not proceed with such designation; and

WHEREAS in the opinion of the Local Architectural Conservation Advisory Committee and the Planning Board, the designation of these buildings is desirable, and should be undertaken;

THEREFORE BE IT RESOLVED that the City of Kingston adopt a policy whereby buildings of architectural and/or historic significance, which are owned by the Provincial or Federal governments, be so designated, it being understood that the City recognizes that such designation does not bind the Crown, and that the provisions of designation under The Ontario Heritage Act will only come into effect if the Provincial or Federal governments cease to be the owners of such designated buildings;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be directed to prepare a by-law providing for the designation of Provincial and Federally owned historic buildings on the condition hereinbefore mentioned.

CARRIED AS AMENDED

Ald. Clements Opposed

REPORTS (Cont'd)

Reports No. 67 - Planning Board

6. That the following resolution forwarded by the Ontario Building Officials Association with respect to heritage buildings, be endorsed:

"RESOLVED that the City of Kingston is concerned that the strict application of the Ontario Building Code to heritage buildings might seriously affect their appearance and even their existence and that this Council supports the recommendations of the Canadian Buildings Officials Association and the Ontario Building Officials Association with respect to heritage buildings and the changes which would be required in the Ontario Building Code to accommodate these and further that copies of this resolution be forwarded to the Ministry of Consumer and Commercial Relations, the Ministry of Culture and Recreation and the Secretary of the Ontario Building Officials Association"

CARRIED

7. That the Cataraqui Region Conservation Authority be informed that the City of Kingston has no objection to a fill permit being granted to Clancy Fuels Ltd., with respect to filling on Lots 2, 3 and 4, Registered Plan 334, City of Kingston (1121 Montreal Street), it being noted that aspects of this matter other than environmental impact are the subject of discussion between the City of Kingston and the owner of this property.

CARRIED

Respectfully submitted,

Ken Keyes
John Clements
W. Knapp
Lois E. Miller

* * *

1 Baiden Street - Architectural Significance

Built about 1845 for merchant Samuel W. Brady and owned and occupied for many years by shoemaker John Pugh and his family, this well-proportioned frame dwelling is a good example of the larger wooden dwellings in the village.

42 Kennedy Street - Architectural Significance

Angus McLeod's 1842 stone dwelling with ashlar quoins and string course, large windows and twin double chimneys was one of the largest stone houses in the village.

46 Kennedy Street - Architectural Significance

Built about 1845 for grocer Angus McVicar this small stone cottage is in marked contrast to its larger neighbour and is typical of the working man's dwelling.

623 King Street West - (Town Hall) - Architectural and Historic Significance

This handsome stone Town Hall was designed by William Coverdale and erected under the supervision of John Power after Coverdale's death in September 1865. The building was and is a focal point in the physical and visual aspect of the old village area.

640 King Street West - Historic Significance

Built before 1841 this corner building was used for many years as a hotel. The first post-office for the village was established here in 1856.

658 King Street West - Historic Significance

The small stone cottage built about 1837 for Richard Logan, with later brick addition, is important as the home of Logan who, with his partner McLeod, began the subdividing and development of land in the village.

662 King Street West - Historic Significance

This large stone building, an important part of the commercial streetscape, was built for William Mudie, long-time Reeve of the Village.

653-655 King Street West - Architectural and Historical Significance

Architect William Coverdale was commissioned by William Elliott to do plans for a double house on this site in 1856. In 1859 the new village council granted Elliott a tavern licence and the property continued to be operated as an inn or hotel for many years. The shed, with immense bakeovens, at the rear of the property is an important part of the complex.

661, 663, 665 King Street West and 1 Church Street - Historical and Architectural Significance

These stone row houses, on a street corner and extending along the main through street, are an important part of the Village streetscape. Although built at different times the two halves are well unified in scale and design.

670 King Street - (Orange Hall) - Architectural Significance

This Victorian stone building, with central tower effect emphasizing the broken roofline, is taller than the neighbouring buildings but is compatible with the streetscape in its use of traditional material and siting against the streetline with doorway at street level.

678 King Street West - Historic Significance

This 1840's stone building has always been a commercial property, for most years as a tavern then as a grocery.

107 Logan Street - Architectural Significance

This stone cottage was designed by William Coverdale for Marshall Strange who owned the Tannery nearby. It was

71-75 Mowat Avenue - Architectural Significance

This rubble limestone building housed four tenants in the 1850's and on its corner lot is an important visual focus for the village.

76 Mowat Avenue - Architectural Significance

This small frame cottage was built about 1844 for tanner Hugh McManus who worked at Strange's Tannery. It is a good example of worker owned dwelling.

34 Richard Street - Architectural Significance

The stonework of this small pre-1843 dwelling is of interest. The rubblestone front is laid in courses, the sides and rear in random. The corner ashlar quoins are heavy in proportion to the building and the doorway is inset.

61 Yonge Street - Historic Significance

This stone house was associated with the steam sawmill which operated during the ship-building era of Portsmouth's past.

66 Yonge Street - Historic Significance

John Craig, an accountant in the shipyard, owned this frame dwelling where the Portsmouth Village Council met for the first time on January 17, 1859. Craig, Clerk of the Council, was paid \$17.00 a year for the use of his house as a meeting place before the erection of the Town Hall.

90 Yonge Street - Architectural Significance

This brick dwelling was built about 1848 for William Paterson whose Brewery was later sold to Fisher. One of the few early brick dwellings in the village, it still has the ribbed metal roof once required for fire insurance.

97-101 Yonge Street - Architectural Significance

This is a fine example of a double dwelling and was designed by William Coverdale for the widow of a lake captain. The well-proportioned quoins, string course, windows and entrances mark it as a building of significance.

102-114 Yonge Street - Architectural and Historic Significance

This long limestone terrace was built for McLeod, one of the partners who developed this area. It occupies an important corner and extends along the street facing the harbour. One of the sections was occupied for many years as a bakery, first by McCammon, then by Culcheth.

140-142 Yonge Street - Architectural Significance

This is one of the very few pre-1841 frame double dwellings, well-proportioned and with the original windows, remaining in the area.

May 31, 1979

REPORTS (Cont'd)

Council consented to the deferral of consideration of Clause 15, Report No. 68, until the June 25th, 1979 Council Meeting.

Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That Report No. 68 of the Chief Administrative Officer be received and adopted, clause by clause.

REPORT NO. 68

To the Mayor and Aldermen:

June 18, 1979.

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by the Commissioner of Works, a by-law be presented to Council to amend By-Law No. 9396, "A By-Law to Authorize the Construction of a 32' Wide Asphalt Pavement (With Width Over 28' to be assumed by the City), with Concrete Curb, Gutter and Boulevard in Victoria Street from Third Avenue to Dorrance Street, Under the Provisions of Section 7 of the Local Improvement Act (Petition), to provide for an increase in the debenture amount of \$1,374.44 with revised costs to be as follows:

Total Estimated Cost	\$32,300.00
Owner's Share	3,422.28
City's Share	14,438.86
Anticipated MTC subsidy	14,438.86
Debenture Amount	17,861.14

and further -

That the following amendment to the 1979 Capital Budget be approved:

	<u>Decrease</u>	<u>Increase</u>
<u>LOCAL IMPROVEMENTS - ROADS</u>		
Victoria Street from Third Avenue to Dorrance Street		\$1,374.44
Misc. Roads	\$1,374.44	

(A copy of the report of the Commissioner of Works is attached as Schedule "A".) (1 Page)

(See By-Law 1: No. 79-123).

CARRIED

Ald. McArthur declared a conflict of interest in Clause 2, since he is the owner of Fort Battery.

2. That, as recommended by the City Treasurer, List of Accounts No. 5, dated May 1979, in the amount of \$2,730,315.66 be approved it being noted that the expenditures were incurred under proper authorization.

(A copy of the List of Accounts was distributed to all members of Council with the agenda.)

CARRIED 13:0

Ald. McArthur abstained from voting

Ald. Tarnowecy withdrew at 7:35 p.m.

REPORTS (Cont'd)

Report No. 68 - Chief Administrative Officer

3. That, as recommended by Smith, Mill & Ross, Architects, Change Order No. 15 to the contract with Emmons and Mitchell Construction Limited in the amount of \$2,082.86 for the following work in connection with renovations to the Grand Theatre be approved:

Hand dig electrical trench.
Remove wallpaper and paint.
Remove floor tile and replace in Men's Washroom.
Cement plaster to front entrance.
To cut new trap door in electrical room.
To supply and install access door to Men's Washroom.
Repair and revamp attic walkway.
Eliminate plastic laminate to front entrance.

*REFERRED TO BOARD OF MANAGEMENT FOR THE GRAND THEATRE
(See Following Motion of Referral)*

Moved by Ald. Gerretsen,
Seconded by Ald. Tarnowecky,

That Clause 3, Report No. 68, be referred to the Board of Management for the Grand Theatre.

CARRIED

Ald. Gerretsen withdrew at 7:40 p.m.

4. That, as recommended by the City Treasurer, a by-law be presented to Council to authorize the execution of an agreement with The Kingston Bus for the Handicapped and that the agreement be forwarded to the Ministry of Transportation and Communications for their approval, further, pursuant to the Public Transportation & Highway Improvement Act, the Council of the Corporation of the City of Kingston hereby requests an allocation of subsidy funds for transportation for the physically disabled in the amount of \$18,250. for combined capital and operating assistance programme.

(Note: The proposed agreement is based on a Provincial draft which has been approved by the Kingston Bus for the Handicapped.)

(See the City Treasurer's report attached hereto as Schedule "B". (2 Pages). A copy of the proposed agreement was forwarded to all members of Council with the agenda.)

(See By-Law 2: No. 79-124)

*REFERRED BACK TO CITY TREASURER
(See Following Motion of Referral)*

Moved by Ald. Tarnowecky,
Seconded by Ald. Miller,

That Clause 4, Report No. 68, be referred back to the City Treasurer to obtain the comments of the Kingston Bus for the Handicapped Inc.

CARRIED

REPORTS (Cont'd)

Report No. 68 - Chief Administrative Officer

5. Clause 5 was considered after Clause 11.

6. That, as recommended by the Commissioner of Works, the tender for miscellaneous supplies be awarded in accordance with the amended Director of Purchasing's Summary of Tender 79/18 as attached.

(See attached Schedule "D" for a copy of the report of the Commissioner of Works.) (14 Pages)

CARRIED

7. That the following resolution of the City of Waterloo not be endorsed:

"WHEREAS the 1979 Provincial budget has immediately imposed a 7% retail sales tax to be added to the accounts of T.V. cable subscribers;

AND WHEREAS municipalities presently receive 5% of the gross receipts of Bell Canada which is allocated on the basis of the number of telephones located in each municipality;

AND WHEREAS numerous attempts by many municipalities, The Association of Municipalities of Ontario, and the Municipal Liaison Committee to have Cable T.V. companies agree to some form of revenue sharing as a payment-in-lieu of taxes have failed;

AND WHEREAS municipalities have no legal authority to assess Cable T.V. companies for transmission lines or installations,

or assess other charges as a payment-in-lieu of taxes;

BE IT THEREFORE RESOLVED that the Provincial Government be petitioned to return the 7% sales tax collected from the Cable T.V. companies to the municipalities in direct proportion to the amount collected in each municipality."

(See attached Schedule "E" for a report from the City Treasurer.) (3 Pages)

CARRIED

Ald. Tarnowcky returned at 7:40 p.m.

REPORTS (Cont')

Report No. 68 - Chief Administrative Officer

8. That, as requested by Deputy Chief J. W. Kealey, Secretary of the Board of Police Commissioners, Mr. Norman C. Jackson, City Solicitor, be appointed as Solicitor for the Board.

(See attached Schedule "F" for a report from the Chief Administrative Officer.) (2 Pages)

CARRIED

9. That, as recommended by the Social Services Administrator, the following rates be paid for indigent burials, effective July 1st 1979:

Stillborn or new born child.....	\$250.00 inclusive.
Up to 1 year.....	\$350.00 inclusive.
1 year to 16 years of age.....	\$490.00 inclusive.
Over 16 years (adult).....	\$568.00 <u>plus</u>
	\$210.00 for other services.

This Rate includes:

- 1) Removal from place of death (local, 2 men and vehicle).
 Preparation of remains for viewing.
 Family conference and arranging details.
 Use of funeral home for one afternoon and evening of visitation.
 Use of funeral home for funeral service.
 Funeral coach.
 Funeral Director.
 Minister's car.
 One family car if required by family.
 Suitable casket (includes freight and taxes).
 Music.
 One paper notice (local).
 Acknowledgement cards and register book.
 Clergy Honorarium.

For Stillborn or new born child, up to 1 year, and 1 year to 16 years of age the rate shown includes:

- 2) The actual cost of the grave and perpetual care.
 The actual cost of opening and closing the grave.
 The actual charges made by churches to hold funeral services in the church.
 Mileage charges to country cemeteries.
 Winter vault charges.

For 16 years (adult) a charge of \$210.00 will be made for the services shown in (2) above.

CARRIED AS AMENDED
 (See following Motion of Amendment)

Moved by Ald. Hawkins,
 Seconded by Ald. Bishop,

That Clause 9, Report No. 68, be amended to include in Section (1) the words, "Clergy Honorarium".

CARRIED

REPORTS (Cont'd)

Report No. 68 - Chief Administrative Officer

10. That a grant of \$500.00 be made to the Field-Springer Disaster Relief Fund and the following budget transfer be approved:

	<u>INCREASE</u>	<u>DECREASE</u>
Finance - Grants	\$500.00	-
Finance - Contingencies	-	\$500.00.

(A report from the Chief Administrative Officer is attached as Schedule "G"). (3 Pages)

CARRIED

11. That, as recommended by the Commissioner of Works, the City continue with its existing policy on snow clearing on sidewalks by use of its own equipment rather than attempting to have the property owners clear the sidewalks that front on their property.

(See report from the Commissioner of Works and the City Solicitor, attached as Schedule "H"). (7 pages).

CARRIED

5. That, as recommended by the Commissioner of Works, the tender of S.M.I. Limited to supply three Bombardier track-type sidewalk snow plows at a net cost of \$55,494.08 be accepted, and that the additional funding of \$4,494.08 be taken from the provision for replacing a station wagon, the replacement of the station wagon to be reconsidered in the fall prior to the vehicle tender recall.

(Note: This recommendation was referred back to the Commissioner of Works at the meeting of June 4th 1979 and a further report requested.

See Schedule "C" hereto for a copy of the Commissioner of Works Report and also a copy of the original report made at the meeting of June 4th 1979.) (4 Pages)

CARRIED

12. That a by-law be presented to Council to authorize the construction of the widening of Division Street between Raglan Road and Main Street by five feet on the east side, in conjunction with the sidewalk reconstruction which is included in the 1979 Sidewalk Reconstruction By-Law. The estimated cost of widening is as follows:

Total Cost	\$18,700.00
M.T.C. Share	<u>7,774.35</u>
	\$10,925.65

And further, that the 1979 Capital Budget be amended as follows:

<u>Transportation Department</u>	<u>Increase</u>	<u>Decrease</u>
<u>Major Roads</u>		
- Widening - Division St.	\$10,925.65	
Widening - Princess St.		\$10,925.65
(360' west of Sir John A. Macdonald Blvd. to 300' east of Portsmouth Ave.)		

REPORTS (Cont'd)

Report No. 68 - Chief Administrative Officer

12. (Cont'd)

(Note: This clause was referred back to the Traffic and Streets Administrator at the meeting of Council held on May 28th 1979 with the request that notification of the proposed construction of the widening of Division Street between Raglan Road and Main Street be sent to the property owners and that information be provided with regard to the City property line on these streets.

A copy of the report of the Traffic and Streets Administrator is attached as Schedule "I".) (1 Page)

LOST 6:8

(See Recorded Vote)

Ald. Webb requested a recorded vote on Clause 12, Report No. 68, which was as follows:

YEAS: Mayor Keyes, Ald. Bishop, Ald. Hawkins, Ald. Lampropoulos, Ald. Miller, Ald. Tarnowewsky (6)

NAYS: Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Knapp, Ald. Matthews, Ald. McArthur, Ald. Webb (8)

13. That as requested by the Canada Week Committee Ontario Street from Brock to Market Street be closed for the period 10.30 to 12 noon on Saturday, June 23rd 1979 for the parade.

(See By-Law 6: No. 79-126(a))

CARRIED

14. That no action be taken on the request for Watch for Children signs on Vine Street and Ann Street.

(A copy of the report from the Traffic and Streets Administrator is attached as Schedule "J".) (1 Page).

CARRIED

Ald. Webb opposed

15. That, as recommended by the Traffic and Streets Administrator, the recommendation of the Inquiry Officer be approved, subject to the clarifications and for the reasons stated in the report attached hereto as Schedule "K". (5 Pages)

(Note: Mr. D. G. Cunningham, Solicitor for Empire Warehouse Limited will be present at the Council Meeting of June 25th 1979.

The By-Law to complete the proceedings of expropriation initiated by Council will be presented at that meeting for Council consideration.)

(Council consented to the deferral of consideration of Clause 15 until June 25, 1979 Council meeting)

16. That, as recommended by the Traffic and Streets Administrator, the Hotel Dieu Hospital be permitted to pave and use the boulevard on Brock Street as an emergency entrance until their new entrance is constructed, said paving to be in accordance with Drawing No. N.E.-2 of S.E. Simonson & Associates Ltd., Project Managers. (See Schedule "L" attached hereto). (1 Page)

CARRIED

Respectfully submitted,

R. J. Hamilton,

Chief Administrative Officer

JUN 12 1979

MEMO TO: Mr. R. J. Hamilton, Chief Administrative Officer

DATE: June 11, 1979

SUBJECT: Amendment to By-Law 9396 for an asphalt pavement with curb gutter and Boulevard in Victoria Street - Third Avenue to Dorance Street.

ORIGIN: The Public Works Department originated this amendment to provide additional funds that the lowest tender indicated would be needed to meet the cost.

ANALYSIS: A tender for some 19 individual projects was called. A review of the individual projects following receipt of the tenders, indicated this project was underestimated.

	By-Law 9396	Proposed Amendment
Total Estimated Cost	\$29,900.00	\$32,300.00
Owner's share	\$ 3,073.39	\$ 3,422.28
City's Share	\$13,413.31	\$14,438.86
Anticipated MTC subsidy	\$13,413.30	\$14,438.86
Debenture amount	\$16,486.70	\$17,861.14

EXISTING
POLICY:

If an indicated overrun is under 5 or 6 percent and there is a possibility that the actual cost will be within the by-law amount an amendment is initiated after the actual costs are known, if necessary. If there is an indicated overrun that is unlikely to disappear in the actual expenditures an amendment is initiated. The easiest way to convince the O.M.B. that the people still want the work is to recirculate the petition. A sufficiently signed petition at the higher rate has been received.

FINANCIAL: The proposed amendment indicates the debenture amount will increase by \$1,374.44. This amount could be taken from the 1979 Capital Budget allotment for Local Improvement Miscellaneous Roads.

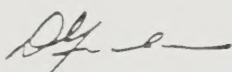
RECOMMENDATION: That since a sufficiently signed petition has been received at increased costs an amending by-law to by-law 9396 be passed to authorize the construction of a 32' wide asphalt pavement (width over 28' assumed by the City) with concrete curb and gutter, and boulevard in Victoria Street from Third Avenue to Dorance Street under the provisions of Section 7 of the Local Improvement Act-

	Proposed Amendment
Total Estimated Cost	\$32,300.00
Owner's share	\$ 3,422.28
City's share	\$14,438.86
Anticipated MTC subsidy	\$14,438.86
Debenture amount	\$17,861.14

and that the following transfer in the 1979 Capital Budget be approved.

<u>Local Improvement Roads</u>	<u>Increase</u>	<u>Decrease</u>
Misc. Roads	---	\$1375.

DG/jc


D. Graham, P. Eng
Director of Works

June 13, 1979

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

RE: Subsidy - Kingston Bus for the Handicapped

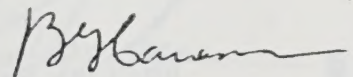
ORIGIN: Ministry of Transportation and Communications
advising of policy of the Province to support
transportation for the physically disabled.

ANALYSIS: Funding by the Province for transportation for
the physically disabled is not limited to those
municipalities with existing conventional public
transportation; funding is available to any
municipality wishing to provide this type of
service. Funding must however be requested
directly by a municipality for services operated
by or on behalf of the municipality, or under
an agreement between the municipality and a
person, firm or corporation.

FINANCIAL
CONSIDERATION: City Council approved a 1979 grant of \$30,000.00
for The Kingston Bus for the Handicapped. Provincial
funding is available at the rate of 50% of the
combined capital and operating expenditure up to a
certain ceiling calculated on a per capita basis.
Kingston's ceiling is \$1.45 per capita or \$88,577.
The ceiling is pro-rated for the six months of
operation in 1979 in accordance with the July 1,
1979 commencement of this program. Kingston Bus
for the Handicapped have an expenditure budget
for 1979 of \$73,000. For the year 1979 the City
would receive a subsidy of \$18,250. based on a
50% subsidy of expenditures after July 1st.

RECOMMENDATION: That a by-law be presented to Council to authorize
the execution of an agreement with The Kingston
Bus for the Handicapped and that the agreement
(copy attached herewith) be forwarded to the
Ministry of Transportation and Communications for
their approval, further, pursuant to the Public
Transportation & Highway Improvement Act, the
Council of the Corporation of the City of Kingston
hereby requests an allocation of subsidy funds for
transportation for the physically disabled in the
amount of \$18,250.00 for combined capital and
operating assistance programme.

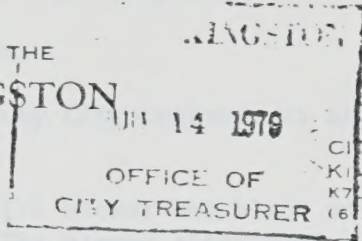
Note: The proposed agreement is based on a Provincial
draft which has been approved by the Kingston Bus
for the Handicapped.



BGC/jt
Encl.



CORPORATION OF THE
CITY OF KINGSTON



CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

OFFICE OF THE
City Solicitor
Our Ref. No. L-16

MEMORANDUM

TO: Mr. Bernard G. Cousens,
City Treasurer

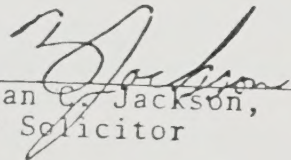
FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: June 14, 1979

RE: Proposed Agreement between the City and the
Kingston Bus for the Handicapped

The Provincial Government form which you have shown to me appears to be in order and the indemnification clause and insurance requirements would sufficiently protect the City's liabilities incurred as a result of the agreement.

I would point out, however, that the right of the City to enter into the agreement may be questionable. Section 64 of The Public Utilities Act, R.S.O. 1970, Chapter 390, indicates that a Council of a municipal corporation that owns, operates or is about to establish...a bus transportation system, may by by-law, provide that the control and management of it be entrusted to a Commission. City Council has passed such a by-law, it being By-Law No. 3923, passed January 7, 1963. In this very short by-law, the control and management of the public transportation system of the City of Kingston is entrusted to the Public Utilities Commission of the City of Kingston. Since the first recital of the proposed agreement indicates the desire to establish a public transportation system for the physically disabled, it may be that either the P.U.C. should replace the City of Kingston as the Party of the First Part, or that the Commission should be asked to concur.


Norman C. Jackson,
City Solicitor

JUN 17 1979

MEMO TO: Mr. R. J. Hamilton, Chief Administrative Officer

DATE: June 13, 1979.

SUBJECT: Type and operation of equipment purchases in 1978 and the comparison between this type of equipment and bombardier track-type sidewalk snowplows.

ORIGIN: Council requested a report.

ANALYSIS: A memorandum from the Deputy City Engineer is attached as Schedule "A".

Four trackless vehicles with blower and blade attachment were purchased in 1978. The blower attachment out-performs the bombardier in deep snow but is slower in light snow. Use as plow (blade attached) increases downtime. Icy conditions were a problem. The bombardier out-performs the trackless in light to moderate snowfalls and in icy conditions. The purchase of three new bombardiers would provide a better balance of equipment for all conditions.

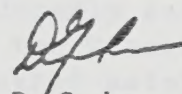
EXISTING

POLICY: Plowing/blowing with four (4) trackless vehicles

Plowing with bombardiers: 2-1962, 2-1966 and 3-1967 models of which we try hard to keep four operative all winter.

FINANCIAL: The trackless type of equipment cost about \$3,000 more per unit than the bombardiers which came in at \$18,498.16 including trade-in and Ontario Sales Tax.

RECOMMENDATION: That the three bombardiers approved in the 1979 Current Budget be purchased to provide balance in our equipment to enable the work crews to cope with sidewalk plowing under varying conditions.



D. Graham, P. Eng.
Commissioner of Works

DG/jc

Encl.

3060/1

June 11, 1979

Memo to

Mr. D. Graham, P. Eng
Commissioner of Works

Re Bombardiers versus Trackless Blowers

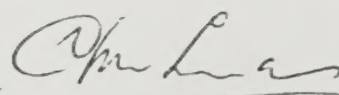
The Bombardiers we have date back 12 years and more. They provide excellent traction and operate at a wide range of speed. They have given many years of service but have had the drawbacks of offering limited driver comfort and an inability to remove deep hardened snow. What is more, they have reached an age whereby spare parts are no longer made or available. This, combined with greater susceptibility to breakdowns on account of age, makes it essential that they be replaced.

After 80 cm of snow fell on the City in one week at the start of the 1977-1978 winter, the Bombardiers were not up to the gigantic task of plowing all that snow, especially not when through freeze/thaw cycles much of that snow froze solid. A demonstration of the Trackless Blower showed however that under those conditions it would out-perform the Bombardier by far. As the Trackless could also be outfitted with a plow, it was decided that these machines should be bought in preference to the Bombardiers.

During the 1978/79 winter the Trackless proved to provide good operator comfort and be capable of fast plowing light snow. However, there were some drawbacks. Having to mount sometimes rather high curbs caused many tire failures and sometimes damage to the wheelrims. Driving at speed into a slightly raised concrete sidewalk section has led to frame damage. Under slippery conditions traction has been reduced considerably and under extreme ice conditions we have had to take the Trackless off the roads as they could no longer be manoeuvred safely.

Since we purchased our last Bombardiers in 1967 considerable improvements have been made to the machines, especially in regard to operator comfort and reliability. As a result the Bombardiers with their greater traction are more suited to slippery conditions and can blade away heavier and deeper snow than the plow-equipped Trackless machines can. The latter, of course, can carry on as blowers again beyond the capabilities of the Bombardiers.

Three of our remaining Bombardiers date from 1967, two from 1966 and the other two from 1962. None of them can be considered reliable any more. On the other hand, we now have 4 new Trackless machines. In order to retain the best balance of equipment, we suggest that all 3 new machines, to be purchased this year should be Bombardiers, to replace the 1962 models and one of the 1966 models



G. de Lugt, P. Eng
Deputy City Engineer

MAY 30 1979

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date - May 30, 1979

Subject Tender 79-21 Sidewalk Snow plowsOrigin Provision for the purchase of three sidewalk track-type snow plows was included in the 1979 Current Budget as approved.

The Director of Purchasing dispatched tenders to a number of potential sources. One tender was received from SMI Limited, in the amount of \$55,494.08 with trade-in.

Analysis The attached letter from the Director of Purchasing states that Bombardier enjoys a somewhat captive position.

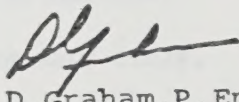
We have used Bombardiers for many years and found them most effective except in deep snow. They are by far the most widely used piece of sidewalk snow plowing equipment.

Existing Policy The lowest tender is accepted unless there is justification for doing otherwise. From the report of the Director of Purchasing, it appears that there is only one supplier.

No other Departments or Agencies are involved.

Financial The Current Budget provides for using \$51,000.00 from the Reserve for Equipment Replacement to purchase 3 Bombardiers. An additional \$4,494.08 is needed.

Included in the vehicle tender which was not accepted were 2 Works' vehicles - a 1/2 ton and a station wagon. The Current Budget provided \$5,800.00 from the replacement fund for the replacement of the station wagon.

Recommendation That the tender of S.M.I. Limited to supply three Bombardier track-type sidewalk snow plows at a net cost of \$55,494.08 be accepted, and that the additional funding of \$4,494.08 be taken from the provision for replacing a station wagon, the replacement of the station wagon to be reconsidered in the fall prior to the vehicle tender recall.DG/gg
att.
D. Graham, P. Eng
Commissioner of Works



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Director of Purchasing.

May 25, 1979.

MEMORANDUM

TO: Mr. D. Graham, Commissioner of Works
FROM: Mr. M. J. Ewart, Director of Purchasing
SUBJECT: Tender No. 79-21/Sidewalk Snowplows

One tender only, as setout hereunder, was received in response to the subject invitation for three track-type sidewalk snowplows.

SMI LIMITED 3 @20,288.00 each - \$60,864.00

Less Trade Allowance for:

3 SW54 Bombardier units for total of - 9,000.00

Net Difference 51,864.00

Federal Sales Tax Exempt
Provincial Sales Tax 3,630.48

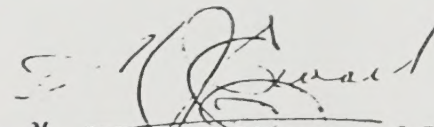
TOTAL 55,494.48

The tender was despatched to twenty-two potential sources of supply in an endeavour to determine whether or not any counterpart of the Bombardier unit has been introduced to the market.

While Bombardier enjoy a somewhat captive position, it is felt that the price tendered by SMI Limited is reasonably competitive. The units are to be supplied with one 48" V plow, and one 58" straight manual angle blade.

It is of moment that SMI Limited have, over the past thirty years, serviced the Corporation's account with despatch, and that they indicate a \$172,000.00 parts inventory in Ontario.

Yours very truly,


M. J. Ewart, Director of Purchasing.

MJE/jg

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date - June 13, 1979

SUBJECT Tender 79/18 Miscellaneous Supplies

ORIGIN Purchasing Department - to establish a source of supply for a variety of items used by the Public Works Department.

ANALYSIS A Memorandum from the Director of Purchasing is attached. The Public Works Department have suggested a change in one case and an alternative in another. Item 9(B) Catch Basin Frames and Grates. Some failures have been experienced with this item as supplied by H.Imbleau Ltd. It is recommended by the Director of Purchasing because it does not include a minimum weight lot. The Department suggests that Cunningham Foundry be accepted being the lowest tender. The minimum weight lot will not be a problem. Item 17(A), (B), (E) and (K) would be cheaper from Glen Lawrence if we were picking up the material in our own truck because of the shorter distance to their quarry. The Department suggest that Glen Lawrence be designated as an alternative source of supply for these three items.

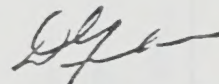
EXISTING
POLICY

The lowest tender is accepted, taking into consideration our quantity requirements and availability.

RECOMMENDATION

That the tender for miscellaneous supplies be awarded in accordance with the amended Director of Purchasing's Summary of Tender 79/18.

DG/gg
att.



D.Graham, P.Eng
Commissioner of Works

SUMMARY OF TENDER NO. 79-18

for

MISCELLANEOUS SUPPLIES

PERIOD ENDING: April 30, 1980 (except as noted)
 METHOD OF INVITATION: Individual & Public Notices
 NO. OF INVITATIONS: 81

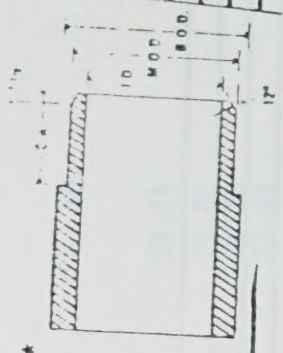
DATE OF MAILING: March 30, 1979
 DATE OF CLOSING: April 19, 1979
 NO. OF TENDERS RECEIVED: 36

ITEM	DESCRIPTION	MUTTART BLDG. SUPPLIES		ST. LAWRENCE CEMENT	MARKER BLDG. MATERIALS	GUS MARKER LTD.
1.	<u>CEMENT</u> (Specification: CSA-A5-1951) (Taxes: Federal, Included; Ontario, Exempted, (5(60)R21)	<u>40 KG</u>	<u>80 LB</u>	<u>40 KG</u>	<u>40 KG</u>	<u>40 KG</u>
	A. Standard Portland - 80 lb. bag/40 kg.		Min. 600	(70.94 tonne) Min. 560	Min. 400	Min. 100
	Truckload (Indicate min. qty.)		3.45	2.8376	3.50	3.35
	LCL		3.65		Min. 40 3.90	3.45
	B. High Early Strength - 80 lb. bag/40 kg.			(79.05 tonne)		
	Carload (Indicate min. qty.)			Min. 560 3.1620		Min. 200 3.95
	LCL					4.16

...../page two attached

"D"

ITEM	DESCRIPTION	ATLAS TURNER LIMITED					
		CLASS 1500		CLASS 2400		EXTRA COUPLINGS	EXTRA RINGS
		Price	Wt.	Price	Wt.		
2.	ASBESTOS CEMENT PIPE (C/W 1 COUPLING, RING, AND LUBRICANT) (Specification: ASTM - C428-77A) (Taxes: Federal, Exempt {Fed. 487} Ontario, Exempt {5(60)R21})						
	NON-PRESSURE SEWER PIPE (Indicate weight per ft.)						
	A. 4 Inch Designated 100MM (Per Ft.)	1.16		1.31			
	B. 6 Inch Designated 150MM (Per Ft.)	1.78		2.07			
	C. 8 Inch Designated 200MM (Per Ft.)	2.75		2.75			
	D. 10 Inch Designated 250MM (Per Ft.)	3.53		3.53			
	E. 12 Inch Designated 300MM (Per Ft.)	4.48		4.48			
	F. 14 Inch Designated 350MM (Per Ft.)	6.28		6.28			
	G. 16 Inch Designated 400MM (Per Ft.)	7.31		7.31			
	H. 18 Inch Designated 450MM (Per Ft.)	9.11		9.11			
	NON-PRESSURE SEWER PIPE FITTINGS TEES AND WYES - ALL ENDS TAPERED*	TEES CL. 2400		WYES CL. 2400			
	A. 6 x 6 x 6 Designated 150x150x150	17.52		19.15			
	B. 8 x 8 x 8 Designated 200x200x150	25.65		28.25			
	C. 8 x 8 x 8 Designated 200x200x200	31.65		34.90			
	D. 10 x 10 x 10 Designated 250x250x150	27.70		30.30			
	E. 10 x 10 x 10 Designated 250x250x200	35.60		39.50			
	F. 10 x 10 x 10 Designated 250x250x250	41.20		45.30			
	G. 12 x 12 x 12 Designated 300x300x150	37.05		40.75			
	H. 12 x 12 x 12 Designated 300x300x200	40.00		44.15			
	I. 12 x 12 x 12 Designated 300x300x250	46.85		51.35			
	J. 12 x 12 x 12 Designated 300x300x300	53.75		60.10			
	ELBOWS (11 1/2°, 22 1/2°, 30°, 45°) - BOTH ENDS TAPERED*						
	A. 6" Designated 150MM	7.16					
	B. 8" Designated 200MM	23.20					
	C. 10" Designated 250MM	24.75					
	D. 12" Designated 300MM	33.40					
	E. 14" Designated 350MM	39.40					
	F. 16" Designated 400MM	44.85					
	G. 18" Designated 450MM	53.50					
						except 45° 8.32 each	



Prices quoted - Truckload quantities, F.O.B. Kingston
Prices firm 60 days only

ITEM	DESCRIPTION	ATLAS TURNER LTD.
2.	ASBESTOS CEMENT PIPE (Continued) ELBOWS 90° - Both ends tapered*	CL. 2400
	A. 6" Designated 150MM	11.38
	B. 8" " 200MM	29.05
	C. 10" " 250MM	33.25
	D. 12" " 300MM	41.75
	E. 14" " 350MM	48.20
	F. 16" " 400MM	54.95
	G. 18" " 450MM	67.55
	Minimum truck load quantity	40,000 # - 2 % 20th M.F. - Net 30
3.	PREMIXED CONCRETE Federal Sales Tax Included Provincial Sales Tax Included (21(8) Recov.)	PERMANENT CONCRETE
	A. 2000# 15 MPA Aggregation, cu. yd.	CU. METER CU. YD.
	B. 3000# 20 MPA	42.35 32.70
	C. 3500# 25 MPA	44.35 34.45
	D. 4000# 30 MPA	46.50 35.85
	E. 4000# 30 MPA Grout Mix, Cu. Yd. 1-2 ratio	49.10 37.20
	Heating/cu. yd.	56.60 44.20
		2.90 2.25
		15.00 underload charge if under 3 cu. yd. or 3 cu. meters
		Underload charge 7.50 /under 3.cu. yd.
		CU. METER CU. YD.
		43.75 32.75
		45.70 34.85
		48.15 36.25
		50.65 37.60
		59.39 46.45
		3.05 2.35

...../page four attached

ITEM	DESCRIPTION	ARMCO CANADA	L. M. WELTER LTD.	KOPPERS INTERNATIONAL	E. S. HUBBELL	J. V. HOLT	WESTEEL ROSCO	CANADA CULVERT
4.	CORRUGATED METAL CULVERTS (Specification: Culverts to be standard round, corrugated type, as per CSPI Spec. 501/74) Taxes: Fed. Exempt (487) Ont. Exempt (5(60))	STANDARD ASPHALT COATED	STANDARD ASPHALT COATED	STANDARD ASPHALT COATED	STANDARD	STANDARD	STANDARD ASPHALT COATED	STANDARD
		3.54	3.24	3.94	3.35	4.20	4.03	3.42
	DIA. DESIGNATED GAUGE							
A.	10" 250MM 16/ft.	3.82	3.49	4.22	3.99	4.20	4.31	
B.	10" 250MM 14/ft.	-	-	-	-	-	-	-
C.	12" 300MM 16/ft.	5.91	5.32	6.08	4.30	4.20	6.21	4.14
D.	12" 300MM 14/ft.	6.75	6.08	6.96	4.97	4.97	7.10	4.73
E.	15" 375MM 16/ft.	7.17	6.46	7.37	5.25	5.25	7.52	5.04
F.	15" 375MM 14/ft.	8.21	7.39	8.44	6.00	6.20	8.62	6.08
G.	18" 450MM 16/ft.	8.42	7.65	9.80	6.15	6.20	10.02	6.03
H.	18" 450MM 14/ft.	9.73	8.76	11.05	7.10	7.11	11.28	6.84
I.	21" 525MM 16/ft.	9.99	9.00	10.70	7.30	7.28	-	7.02
J.	21" 525MM 14/ft.	11.41	10.27	12.17	8.37	8.35	-	8.06
K.	24" 600MM 16/ft.	11.26	10.14	11.55	8.20	8.18	11.82	7.88
L.	24" 600MM 14/ft.	12.89	11.51	13.28	9.40	9.38	13.56	9.05
M.	30" 675MM 14/ft.	15.22	13.70	17.48	11.95	11.94	15.33	11.52
N.	30" 675MM 12/ft.	21.00	18.90	22.75	16.10	16.72	20.70	16.11
O.	36" 900MM 14/ft.	20.57	18.52	20.12	14.95	14.68	-	14.13
P.	36" 900MM 12/ft.	23.31	20.98	23.77	20.00	20.92	-	20.16
Q.	42" 1050MM 14/ft.	26.19	23.58	26.50	17.30	17.38	20.39	16.74
R.	42" 1050MM 12/ft.	23.62	21.26	24.55	23.10	24.17	27.82	23.27
S.	42" 1050MM 10/ft.	30.18	25.97	32.13	29.70	30.36	34.72	30.88
T.	48" 1200MM 10/ft.	38.22	31.43	40.05	33.75	33.72	42.15	34.30
U.	48" 1200MM 12/ft.	43.58	35.79	45.05	26.20	27.51	36.03	27.98
V.	60" 1500MM 10/ft.	34.22	27.36	35.31	45.27	46.73	-	47.50
W.	60" 1500MM 12/ft.	63.76	53.14	72.25	35.50	38.45	-	39.09
X.	Coupling	51.76	42.34	56.10	As per price ft.	As per price ft.	As per price ft.	As per price ft.
		As per price ft.	As per price ft.	As per price ft.	As per price ft.	As per price ft.	As per price ft.	As per price ft.
			Up to 36" stock Kingston					

...../page five attached

ITEM	DESCRIPTION	ARMCO CANADA	WESTEEL ROSCO	L. M. WELTER LTD.
5.	<u>STEEL GUARDRAIL (C/W NUTS, BOLTS & WASHERS)</u> (To conform to M.T.C. Specification No. 1504 and 1505) (Taxes: Federal, Included, Ontario, Exempt (5(60)) A. Guardrail, per ft. B. Splice Plates, each C. End Caps, each	6.22 curved 3.72 straight 11.45 each	3.90 .30 12.00	6.20 curved 3.70 straight 11.30
6.	<u>PRECAST CONCRETE MANHOLES (c/w galvanized steps)</u> (Spec. ASTM-C478-77, 4000# (30 MPa)) Monolith Low Slump Concrete - 6% Air Entrainment Factor, washed aggregate) Drawing #109B (Taxes: Federal, Exempt (Fed. 487) Ontario, Exempt (5(60)R21) PRICE PER VERTICAL FT. 42" x 30" Oval (1050MM) ID Bottom Section 42" (1050MM) to 30" (750MM) ID Tapered Section 30" (750MM) ID Top Section Price for extra steps - each	<u>PERMACON CONCRETE</u> 28.00 28.00 28.00 #SM600	<u>CENTRAL PRECAST</u> 25.50 25.50 25.50 3.50	<u>GUS MARKER BLOCK & TILE</u> 27.80 69.50 69.50 27.80 27.80 6" high 4.25
6(A)	<u>PRECAST CONCRETE MANHOLES (c/w galvanized steps)</u> (Specification: ASTM C-478-77) Drawing #D139 PRICE PER VERTICAL FT. 48" ID Bottom Section 48" to 27" ID Tapered Section	<u>PERMACON CONCRETE</u> 29.50 118.00 #C067	<u>OAKS PRECAST</u> 31.00/ft. 33.75/ft. (135.00/4')	<u>CENTRAL PRECAST</u> 29.50/ft. 118.00 (4')
				31.56 in 1,2,3,4 ft. 136.76

ITEM	DESCRIPTION	PERMACON CONCRETE	OAKS PRECAST	CENTRAL PRECAST	GUS MARKER BLOCK & TILE
6(B)	PRECAST CONCRETE FLAT TOP (Spec. ASTM C-478-77) 42" diameter 48" diameter Drawing #D215	48.00 48.00 Permacon Drawings No. C0525 & C0675	56.00	45.00 50.00 5% 15 M.F.	83.90
7 (A)	PRECAST CONCRETE CATCH BASINS (Spec. ASTM C-119-73 4000# (30 MPA)) Monolith low slump concrete - 6% air entrainment factor, washed aggregate (Taxes: Federal, Exempt (Fed. 487) Ontario, Exempt (5(60)R21) As per City of Kingston Dwg. #D107V	(Permacon Dwg. Circular C. Basin) 28.00 taper 11.00 - 24" dia. spacers 53.00	25.00 15.00 22.00 48.00 25.00	25.65 25.65 31.19 48.95 52.35 60.35 19.00 25.65	
7(B)	2 x 2 catch basin c/w sump as per City of Kingston Dwg. No. 193, 36" depth PRICE PER EXTRA DEPTH IN FT.	54.00 18.00	56.85	81.00 18.00	Catch basin adjusters: 1 1/2" 12.78 2" 13.25 3" 14.15 4" 15.20
7(C)	2 x 2 catch basin w/o sump as per City of Kingston Dwg. No. 193B, 36" depth PRICE PER EXTRA DEPTH IN FT.	54.00 18.00	56.85	70.00	83.76
		30,000 lb. min. F.O.B. Kingston		30,000 lb. min. F.O.B. Kingston	

ITEM	DESCRIPTION	OAKS PRECAST	MUELLER LTD.	MCCOY FOUNDRY	CUNNINGHAM FOUNDRY	J. A. WOTHERSPOON	H. IMBLEAU LTD.
8.	MANHOLE FRAMES & COVERS (COMPLETE) (Spec.: 23" (584MM) dia., equal to Canada Iron Foundry No. DS579, Imbleau and Sons No. 101, City of Kingston No. D160) (Taxes: Federal, Exempt (Fed. 487) Ontario, Exempt (5)(60)R21)	140.00	171.00 Mueller S412 (See Drawing)	109.00 Sets of 50 (See Drawing)	106.00 20,000 lb. lots	125.00 Lots of 100 JW 150	102.45
9.	A. CATCH BASIN FRAMES & GRATES (Spec.: City of Toronto pattern, equal to Canada Iron Foundry No. DS1006 or H. Imbleau & Sons No. 302) (Taxes: Federal, Exempt (Fed. 487) Ontario, Exempt (5)(60)R21)			124.10 Sets of 50 (See Drawing)	90.00		54.63
	B. CATCH BASIN FRAMES & GRATES (Spec.: Canada Iron Foundry No. CP24, or equal. See City of Kingston Drawing No. D191 attached) (Taxes: Federal, Exempt (Fed. 487) Ontario, Exempt (5)(60)R21)			124.10 Sets of 50 (See Drawing)	122.00	140.00 Lots of 100 JW107A	123.75
			Price firm 45 days only	Price firm to April 30/79	20,000 lb. lots freight allowed		F.O.B. Kingston

...../page eight attached

ITEM	DESCRIPTION	T. J. POUNDER	FLINTKOTE LTD.	CHEVRON ASPHALT	McASPHALT LTD.	MULCO LTD.
10.	<u>EMULSIFIED ASPHALT.</u> (RS1, RS2, SS1) (Spec. CGSB No. 16-GP-2E, Oct. '73) CGSB No. 16-GP-4C, Oct. '73) (Taxes: Federal, Included, Ontario, Exempt (5(60)R21)) A. Drum (LCL) All Grades, gallons B. Tank Wagon All Grades, gallons	<u>ANIONIC</u> <u>CATIONIC</u> .789 .789 .564 .564	<u>ANIONIC</u> <u>CATIONIC</u> .820 .820 .638 .638	<u>ANIONIC</u> <u>CATIONIC</u> .926 - .639 .639	<u>ANIONIC</u> <u>CATIONIC</u> .950 .950 .630 .630	.825 .630 .825 .630
		Minimum 80 Drums		Minimum 20 drums or 6M gallons	Drum based on 40M# Bulk based on 60M#	Minimum 50 drums or 4M gallon
11.	<u>SHEET ASPHALT MIXTURE PER TON</u> (Spec.: Current MTC Standard) (Taxes: Federal, Included, Ontario, Exempt (5)(60)R21) A. HL3 Grade B. HL6 Grade C. M5 Grade	<u>WILL MAC PAVING</u> 16.05 16.00 17.00	<u>BENNETT PAVING</u> 17.40 16.75 18.00	<u>McGINNIS & O'CONNOR LTD.</u> 17.00 16.50 19.80		
12.	<u>STEEL WIRE FABRIC REINFORCEMENT ROLLS.</u> 9/9 ga., 6" (150MM) mesh, 6' wide x 200' (1,829M x 60.655M)	<u>KIMCO IRON AND STEEL</u> 89.90 Per 1000 sq. ft. (5% F.S.T. Incl.)				

ITEM	DESCRIPTION	MARKER BUILDING MATERIALS			
13.	CLAY BRICK SLUR & MANHOLE TYPE (Spec. ASTM C32-73, Section 1.1.2.1, Grade MS) Taxes: Federal, Exempt Ontario, Exempt				
14.	CONCRETE BLOCKS (Spec. C.S.A. 65.1, 1964) Taxes: Federal, Included Ontario, Exempt	4" Designated 100MM BLOCK each CORNER each ENDS each \$.43 - .53 8" Designated 200MM BLOCK each CORNER each ENDS each .58 .58 .67 10" Designated 250MM BLOCK each CORNER each ENDS each .70 .79 .79 12" Designated 300MM BLOCK each CORNER each ENDS each .76 .86 .86 (Minimum Shipment 5 cubes Under 5 cubes \$25.00 charge for delivery)			
15.	CONCRETE SAND Per Cubic Yard Per Ton Washed	WM. FLETCHER 5.50	GUS MARKER LTD. 5.90 Yes	JOYCEVILLE SAND 4.50	WOODS SAND 4.25 4.70

ITEM	DESCRIPTION	WM. FLETCHER	* W. J. McKENDRY	* GLEN LAWRENCE CONSTRUCTION	* JOYCEVILLE SAND	* WOODS SAND	* D. A. FOLEY
16.	FILL SAND: Per Cubic Yard Per Ton	2.70	2.00	2.95 / 1.95 2.40 / 1.60	2.15	2.25	
17.	CRUSHED Limestone:						1.50 / .70
	A. Screenings Per Cubic Yard Per Ton	4.81/3.25					
	B. No. 1 (1/4" to 1/2") (6.4MM to 12.7MM) Per Cubic Yard Per Ton	3.58/2.40; 3.95/2.65	3.60/2.50 ✓ 3.00/2.10 ✓	3.85/2.85 3.15/2.35		3.10/2.30	
	C. No. 2 (3/4" to 1 - 1/2") (19MM to 38.1MM) Per Cubic Yard Per Ton		3.60/2.50 ✓ 3.10/2.20 ✓	4.20/3.20 3.40/2.60		3.60/2.80	
	D. No. 3 (1 - 3/4" to 2") (44.4MM to 50.8MM) Per Cubic Yard Per Ton		3.30/2.20 2.85/1.95	3.25/2.25 ✓ 2.65/1.85 ✓		2.85/2.05	
	E. Road Material Per Cubic Yard Per Ton		3.30/2.20 2.85/1.95	3.20/2.20 ✓ 2.60/1.80 ✓		2.80/2.00	
* F.	3/8" (9.5MM) Chip Sealing Aggregate (Washed) Per Cubic Yard Per Ton	4.36/2.80 3.28/2.10; 3.60/2.30	3.25/2.15 ✓ 2.55/1.65 ✓	3.25/2.25 2.65/1.85		2.70/1.90	2.49/1.69 ✓
* G.	3/8" (9.5MM) Chip Sealing Aggregate Per Cubic Yard Per Ton	5.06/3.50		4.20/3.20 ✓ 3.40/2.60 ✓		3.60/2.80	
* H.	1/2" (12.7MM) Chip Sealing Aggregate (Washed) Per Cubic Yard Per Ton	3.98/2.80; 4.40/3.10					
* I.	1/2" (12.7MM) Chip Sealing Aggregate Per Cubic Yard Per Ton	4.86/3.30 3.83/2.65; 4.20/2.90		4.35/3.35 ✓ 3.30/2.50 ✓			
	INDICATE AMOUNT LESS F.O.B. QUARRY:	1.56 cu. yd. 1.18 ton/1.30 metric ton	1.10 cu. yd. .90 ton	1.00 cu. yd. .80 ton		.80 ton	.80 ton

* PRICES LISTED - DELIVERED AND F.O.B. QUARRY

...../page eleven attached

ITEM	DESCRIPTION	* MCGINNIS & O'CONNOR LTD.	W. J. McKENDRY	* GLEN LAWRENCE CONSTRUCTION	* JOYCEVILLE SAND	* WOODS SAND	*
17.	CRUSHED LIMESTONE: (Continued)						D. A. FOLEY
	J. Rubble						
	Per Cubic Yard	3.81/2.25	2.60/1.50	2.50/1.50 ✓			
	Per Ton	2.88/1.70	2.10/1.20	2.05/1.25 ✓			
	K. 3" (76.2mm) Crusher Run (must be continued down to a 200 screen with nothing removed)				2.10/1.30		1.75/.95 ✓
	Per Cubic Yard	4.26/2.70					
	Per Ton	3.18/2.00	3.00/1.90	2.90/1.90 ✓			
		3.50/2.20	2.40/1.50 ✓	2.40/1.60			
	INDICATE AMOUNT LESS F.O.B. QUARRY:	1.56 cu. yd.	1.10 cu. yd.	1.00 cu. yd.	2.60/1.80	2.24/1.44 ✓	
		1.18 ton/1.30 metric ton	.90 ton	.80 ton	.80 ton	.80 ton	
	* M.T.C. Specification						
18.	CALCIUM CHLORIDE FLAKE:						
	(100 lb. (45.4KG) moisture resistant bags)						
	(Taxes: Ontario, Exempted, (R21(2a))						
	Per Ton						
	Per Ton Carload	128.70		124.95	169.00		128.10
	INDICATE MINIMUM CARLOAD						128.10
		25 Tons		35 Tons			30 Tons

* PRICES LISTED - DELIVERED AND F.O.B. QUARRY

REMARKS

The foregoing tabulation is a summary of all eligible tenders received in response to the subject invitation, which in essence, constitutes a pro forma contract in determining sources of supply for the various miscellaneous items as listed. The right of the Corporation to invite and accept tenders for specific items herein, as may respect projected development is reserved.

Except as otherwise noted, all prices are firm for the period of tender, based F.O.B. Kingston. Influencing variables or factors relative thereto are indicated by notations in the margin.

RECOMMENDATION

It is recommended for consideration that the tender for Miscellaneous Supplies be awarded, in part, as follows:

- | | |
|--|--|
| Item 1 (A) - Cement Standard)
(B) - Cement High Early) | - to GUS MARKER LTD., for LCL quantities being the lowest tender received.
- to ST. LAWRENCE CEMENT, for truckload quantities being the lowest tender received. |
| Item 2 - Asbestos Cement Pipe & Fittings | - to ATLAS TURNER LTD., being the only tender received. |
| Item 3 - Premixed Concrete | - to GUS MARKER LTD. and PERMANENT CONCRETE, dependent upon the possible price advantage as may be influenced by surcharge applicable to less than full load quantities. |
| Item 4 - Corrugated Metal Culverts A) Standard
B) Asphalt Coated | - to CANADA CULVERT, being in general the lowest tender received.
- to L. M. WELTER LTD., being in general the lowest tender received. |
| Item 5 - Steel Guardrail | - to L. M. WELTER LTD., being the lowest tender received. |
| Item 6 (A) - Precast Concrete Manholes)
(B) - Precast Concrete Manholes Drawing #D139)
(C) - Precast Concrete Flat Top Drawing D215) | - to CENTRAL PRECAST, for truckload quantities, being the lowest tender received, and to GUS MARKER LTD., for LCL, being the lowest tender received. |
| Item 7 (A) - Precast Concrete Catch Basins Drawing 107V
(B) - Precast Concrete Catch Basins Drawing 193)
(C) - Precast Concrete Catch Basins Drawing 193B) | - to CENTRAL PRECAST, for truckload quantities, being the lowest tender received, and to GUS MARKER LTD., for LCL, being the lowest tender received.
- to PERMACON CONCRETE, for truckload quantities, being the lowest tender received, and to GUS MARKER LTD., for LCL, being the lowest tender received. |
| Item 8 - Manhole Frames and Covers | - to H. IMBLEAU & SONS LTD, being the lowest tender received. |
| Item 9 (A) - Catch Basin Frames and Grates
(B) - Catch Basin Frames and Grates | - to H. IMBLEAU & SONS LTD., being the lowest tender received.
- to H. IMBLEAU & SONS LTD., the price differential offset-by inherent-cost advantage of combined shipment to meet minimum weight lots. |
| Item 10 - Emulsified Asphalt | - to GUMMINGHAM FOUNDRY, being the lowest tender received providing minimum weight offered.
- to T. J. POUNDER LTD., being the lowest tender received. |
| Item 11 - Sheet Asphalt Mixture | - to WILL MAC PAVING LTD., for all grades, being the lowest tender received. |

...../page thirteen attached

Continued

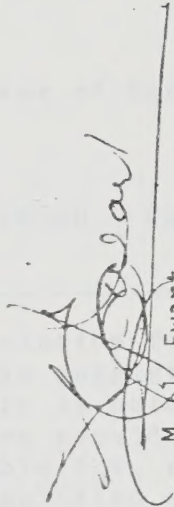
- Item 12 - Steel Wire Fabric Reinforcement
- Item 14 - Concrete Blocks
- Item 15 - Concrete Sand - Washed
 - Unwashed
- Item 16 - Fill Sand
- Item 17 - Crushed Limestone
- Item 18 - Calcium Chloride Flake

- to KIMCO IRON AND STEEL being the only tender received.
- to MARKER BUILDING MATERIALS being the only tender received.
- to GUS MARKER LIMITED being the lowest tender received.
- to WOODS SAND AND GRAVEL, and JOYCEVILLE SAND AND GRAVEL to provide alternate sourcing of material grade.
- to D. A. FOLEY LIMITED being the lowest tender received.
- AS INDICATED BY CHECKS. (E), (J), (K), provides alternate sourcing obviating possible delays, and that Glen Lawrence be included as an alternative to provide any advantage as to haul or availability.
- to LAFFERTY-SMITH LIMITED for carload deliveries, being the lowest tender received.
- to MUTTART BUILDERS' SUPPLIES for LCL deliveries, being the lowest tender received.

#

= Amendments recommended by the Commissioner of Works and concurred in by the Director of Purchasing.

Respectfully submitted,


M. N. Ewart,
Director of Purchasing.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 19-7

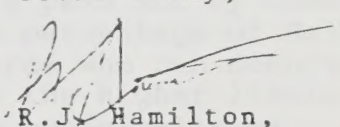
June 8, 1979

M E M O R A N D U M

TO: Mayor Ken Keyes and Members of Council
FROM: R.J. Hamilton, C.A.O.
RE: RESOLUTION - CITY OF WATERLOO - CABLE T.V.

We have reviewed the resolution from the City of Waterloo with Mr. Cousens, who is suggesting the City not endorse the said resolution. It is noted that the A.M.O. and the M.L.C. Committee have provided resolution to the Province indicating that Cable T.V. should provide some form of revenue to the municipalities. Since these matters have already been before the Provincial Government, it is difficult to understand why further resolutions should be forwarded in these matters.

Yours truly,


R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUN 6 1979



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

June 5, 1979

TO: R. J. Hamilton,
C.A.O.

FROM: B. G. Cousens,
City Treasurer

RE: Resolution City of Waterloo
Our File # 3-16

ORIGIN: Letter dated May 14, 1979 City of Waterloo requesting endorsement of their resolution that Provincial Sales Tax charged to Cable T.V. subscribers be paid to municipalities (see attached).

ANALYSIS: While the A.M.O. and Municipal Liaison Committee have supported resolutions to the Province that Cable T.V. companies should provide some form of revenue sharing with municipalities, they have also supported the view that the proliferation of provincial grants should be curtailed.

While the resolution makes reference to the 5% of gross receipts that municipalities receive from Bell Canada, I do not place Cable T.V. in the same category as Bell Canada since Cable T.V. is paid for by homeowners and tenants, while a large percentage of Bell Canada receipts are paid by Commerce who can deduct their costs from income tax, thus the higher levels of government are subsidizing the municipalities, which is not the situation with Cable T.V. users.

By endorsing this resolution, we will be adding another provincial grant to the list.

FINANCIAL
CONSIDERATION: It is estimated that if the City received the 7% tax on Cable T.V. installation, connections, and converter rentals, the City would receive a revenue of \$63,000. for 1979.

RECOMMENDATION: That the resolution not be endorsed.

BGC/jt

[Handwritten signature]

*Council - Ref. To
City Treasurer*

R.C. Keeling, A.M.C.T.
City Clerk

L.J. Ayers, A.M.C.T.
Deputy Clerk



City Hall
Marsland Centre
Waterloo, Ontario
N2J 4A8
(519) 886-1550

**CITY COUNCIL
MEETING OF:**

28 May 1979

May 14th, 1979

COMMUNICATION

293

ALL CITIES IN THE PROVINCE OF ONTARIO

Dear Sirs:

At a recent meeting the Council of the City of Waterloo adopted the following resolution:

"WHEREAS the 1979 Provincial budget has immediately imposed a 7% retail sales tax to be added to the accounts of T.V. cable subscribers

AND WHEREAS municipalities presently receive 5% of the gross receipts of Bell Canada which is allocated on the basis of the number of telephones located in each municipality

AND WHEREAS numerous attempts by many municipalities, The Association of Municipalities of Ontario, and the Municipal Liaison Committee to have Cable T.V. companies agree to some form of revenue sharing as a payment-in-lieu of taxes have failed

AND WHEREAS municipalities have no legal authority to assess Cable T.V. companies for transmission lines or installations, or assess other charges as a payment-in-lieu of taxes

BE IT THEREFORE RESOLVED that the Provincial Government be petitioned to return the 7% sales tax collected from the Cable T.V. companies to the municipalities in direct proportion to the amount collected in each municipality

AND FURTHER that this resolution be forwarded to the Association of Municipalities of Ontario and to the Municipal Liaison Committee and to all cities in Ontario for possible endorsement and support."

Would you please place this matter before your Council for consideration and if endorsed would you please advise Premier Davis. I would also appreciate your advising me of any action taken by your Council.

Sincerely,

R.C. Keeling



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-6

June 12, 1979

M E M O R A N D U M

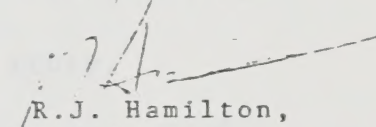
TO: ALL MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: BOARD OF COMMISSIONERS OF POLICE
APPOINTMENT - Norman C. Jackson, City Solicitor

We recommend that Norman C. Jackson, City Solicitor, be appointed as Solicitor for the Board, subject to the approval of the Council, as set out in the attached letter.

Yours truly,


R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUN 11 1979



KINGSTON POLICE FORCE

POST OFFICE BOX 1001
KINGSTON, ONTARIO
K7L 4X8

G. S. RICE
CHIEF OF POLICE

J. W. KEALEY
DEPUTY CHIEF OF POLICE

June 11th, 1979.

Mr. R. J. Hamilton,
Chief Administrative Officer,
City Hall,
KINGSTON, Ontario.

Dear Sir:

For your information, please be advised that, at the meeting of the Board of Commissioners of Police, held on May 24th, 1979, the following motion was made and carried:-

" That Mr. Norman C. Jackson, City Solicitor, be appointed as Solicitor for the Board, subject to the approval of the Council of the Whole."

It would be appreciated if you would take the necessary steps to bring this matter to their attention.

Yours truly,

J. W. Kealey
J. W. Kealey,
Secretary of the Board.

JWK:gh

c.c. His Honour Judge A.R. Campbell,
Chairman of the Board.

Mr. Norman C. Jackson,
City Solicitor.

ADDRESS TO:
THE CHIEF OF POLICE



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

June 12, 1979

M E M O R A N D U M

TO: MAYOR KEYES AND MEMBERS OF COUNCIL
FROM: R.J. Hamilton, C.A.O.
RE: LETTER FROM FIELD-SPRINGER - DISASTER
RELIEF FUND

We are forwarding herewith a letter concerning the request from the Mayor of Sturgeon Falls, for a donation from the City of Kingston to assist in restoring the area devastated by flooding.

Council will note that the Province will match on the basis of four for one for each dollar raised. In the past, the City of Kingston has contributed to disaster funds, the last one being the Town of Cobalt Disaster Relief Fund and the amount was \$1,000. in 1977.

We would suggest that the City of Kingston should consider an amount of say \$500. for this purpose which would result in a contribution of \$2,000. by the Province or a total to the fund of about \$2,500.

We would therefore recommend that Council consider this request.

Yours truly,

R.J. Hamilton
R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

FILE

#7-3

Committee Members

Membres du comité

Council - To be referred to the C.A.C.

**Fonds de Secours
FIELD-SPRINGER
Disaster Relief Fund**

C.P.

103

Box

Tel.: 753-454

André Lussier,
Manager,
Royal Bank of Canada,
753-1010

Camille Cazabon,
Secretary-Treasurer,
Field-Springer,
Disaster Relief Fund
753-4544

W.E. Fortin,
Abitibi Management,
753-2170

Mgr. Vaillancourt,
753-0700

Michel DeCaen,
Mayor,
Sturgeon Falls,
753-2250

Raymond Cuillerier,
Abitibi Management,
753-2170

C.A. Coupal,
President,
Local 7135 CPU
753-1364

Maurice Mondoux,
S.S. Ph.
753-2170

Campbell Barrington,
Mill Manager,
Abitibi Paper Co.,
753-2170

STURGEON FALLS, ONTARIO

May 18, 1979.

Mayor and Council
c/o T. J. McKibbin
City of Kingston
City Hall
216 Ontario St.
K7L 2Z3

Dear Mr. Mayor & Councillors:

On Monday, April 30th, two hundred homes and many places of business were evacuated from the Township of Field due to severe flooding conditions. The flood completely devastated this area. People's homes were literally swept away from their foundations, leaving the municipality and its citizens helpless. This small municipality, with a population of eight hundred persons, is located on Highway 64, approximately 14 miles north of Sturgeon Falls. Permanent residences in the Evansville section of Springer Township, located above the Abitibi spill dams, were badly damaged by the Sturgeon River high water levels. Permanent homes situated on the Sturgeon River, below the dam and the low land level areas, such as the Two Mile Lake area, are flooded due to the high water level of Lake Nipissing.

The area was visited by Mr. Davis, Ontario Premier; Mr. Auld, Minister of Natural Resources and officials of the Ministry of Intergovernmental Affairs. The information gathered on site, permitted the Premier to recommend to the Ontario Cabinet that the areas of Field, Springer, Crerar, Gibbons, Grant, Badgerow and Pedley be declared a disaster area.

Following his visit, The Honourable W.J. Davis issued this statement: "It is clear to all of us who visited the area that, without outside aid, flood victims will experience very severe hardships resulting from damage and losses in respect of the uninsured risk."

..... 2

**CITY COUNCIL
MEETING OF:**

4 JUN 1979

COMMUNICATION
No: 308

- 2 -

The settlement of eligible claims will exceed the three million dollar mark. The Ontario Government will subsidize the Disaster Fund on a four to one basis; i.e., for each dollar raised by the Committee, the Government will pay four dollars into the fund. Therefore, the local Field-Springer Disaster Fund Committee must raise at least six hundred thousand dollars.

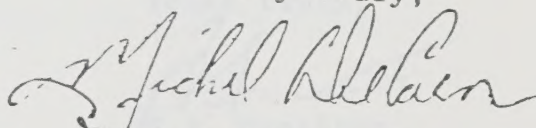
We would, therefore, respectfully solicit your financial assistance. Donations should be made payable to,

Field-Springer Disaster Relief Fund
P.O. Box 1030
Sturgeon Falls, Ontario
POH 2G0

or cheques can be deposited at any Branch of the Royal Bank of Canada.

I thank you in advance for the consideration I know you will give our request.

Yours very truly,


Michel DeCaen
MAYOR

City of Kingston

RECEIVED

JUN 1 1979

DEPARTMENT OF
THE CITY CLERK



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 3-13

June 14, 1979

M E M O R A N D U M

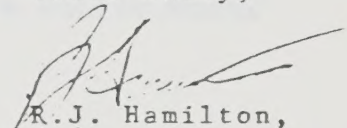
TO: ALL MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: SNOW CLEARING FROM SIDEWALKS

The attached reports from Messrs. Graham and Jackson would indicate that the City would be advised to continue with its existing policy on snow clearing on sidewalks by use of its own equipment rather than attempting to have the property owners clear the sidewalks that fronts on his property.

Yours truly,


R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date - June 13, 1979

SUBJECT

Possibility of changing the responsibility for snow removal from sidewalks back to the owners and occupants of the abutting land.

ORIGIN

Council requested report.

ANALYSIS

Advantages and disadvantages are outlined in Schedule A.

Although the quality of the work leaves much to be desired and the way the equipment is operated is the subject of criticism with some property damage unavoidable, the annual net saving of less than \$1.50 per household (see Financial) cannot be justified considering the labour it saves the occupants of property particularly the people unable to do the work.

EXISTING
POLICY

All sidewalks, except those in parks, cleared of snow by the Public Works Department.

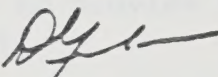
FINANCIAL

The 1979 Current Budget provides an estimated \$42,000. for sidewalk clearance and related work. The cost to the home owner with a \$5000 assessment is just under \$2.00 per year. Policing of walk snow clearance would cost an estimated 50 cents per year.

Maintenance, operating and replacement of equipment is provided through an equipment rental charge. Should the need for replacement be reduced through a change in policy then some funds generated for this purpose would be available to purchase other equipment.

RECOMMENDATION

That the sidewalk plowing by the Public Works Department continue.


D.Graham, P.Eng
Commissioner of Works

DG/gg
att.

e

Sidewalk Snow Clearance

by

Public Works Department

Advantages

1. A problem is not created for the elderly, crippled, sick and people out of town.
2. To hire someone to shovel a walk once would cost as much or more than the present method costs for the whole winter (\$2.00).
3. Cost of enforcing walk snow clearance by-law is saved.
4. No problem with inequities - no walk, walk on one side only, extensive walk on some lots.
5. Walk plows will still have to cover most of the City for the reasons listed below and it will not enhance our public relations if in so doing they pass shovelling citizens:
 - (a) Walks along City property must be plowed.
 - (b) Walks in walkways must be plowed.
 - (c) Walks where a one foot reserve exists must be plowed.
 - (d) Walks in intersections must be plowed.

Disadvantages

1. It is not possible to provide a good job with available equipment.
2. Speed of bombardiers appears excessive to public.
3. If plowing required when there is no frost in the ground damage to lawns may be extensive.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Solicitor
Our Ref. No. L-16

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

M E M O R A N D U M

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: June 12, 1979

RE: Snow Clearing on Sidewalks

You have asked me what the City's legal position would be in the event that the City did not continue to clear sidewalks and instead required property owners whose property abuts on the sidewalks to clear the sidewalks.

The Municipal Act does require that a municipal corporation keep streets and sidewalks in a state of repair. There is no requirement to provide sidewalks, but once sidewalks have been installed, the sidewalks must be maintained. Repair has been given a wide interpretation by the Courts so as to include the necessary removal of snow and ice. Section 427 of The Municipal Act indicates that highways must be kept in a state of repair and that the municipality is liable for all damages sustained by any person by reason of default. Sub-section 4 of Section 427 indicates that except in case of gross negligence, the corporation is not liable for personal injuries caused by snow or ice upon a sidewalk.

The judicial decisions indicate that the primary distinction between ordinary liability and liability for gross negligence is the necessary requirement that claimants show notice. Therefore, in the case of a sidewalk, if the municipality was given notice or deemed to have constructive notice of a sidewalk being in a state where it was dangerous, and a person was injured on that sidewalk, the municipality could be liable for the damages in respect of the injuries sustained.

What effect, if any, would the enactment of the Act which would require property owners to maintain the portion of the sidewalk adjacent to their property have? It would appear that the municipality

.../2

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Mr. R.J. Hamilton,
Chief Administrative Officer

June 12, 1979

does have clear legislative authority that would allow the enactment of such a by-law. Paragraphs 55, 56 and 57 of Section 354 of The Municipal Act, R.S.O. 1970, Chapter 284 read as follows:

"By-Laws may be passed by the councils of local municipalities:

- (55) For requiring the owners or occupants of any designated class of building in the municipality or any defined area thereof to clear away and remove snow and ice from the roofs of such buildings and for requiring the owners or occupants of any designated class of building in the municipality or any designated area thereof to clear away and remove snow and ice from the sidewalks on the highways in front of, alongside or at the rear of such buildings and for regulating when and the manner in which the same shall be done.
- (56) For clearing away and removing snow and ice from the roofs of any designated class of unoccupied buildings in the municipality or any designated area thereof and for clearing away and removing snow and ice from the sidewalks on the highways in front of, alongside or at the rear of any designated class of unoccupied buildings or vacant lands at the expense of the owners and for collecting or recovering the expenses incurred in so doing in the manner provided by section 469.
- (57) For clearing away and removing snow and ice from the sidewalks on any highway or part of a highway or any class thereof in front of, alongside or at the rear of any occupied or unoccupied building or vacant lot, or any class thereof, at the expense of the owners, and for collecting or recovering the expenses incurred in so doing in any manner including the manner provided by section 469."

In fact, the City of Kingston did have a section in the streets by-law, By-Law No. 10, which required occupants of buildings adjoining highways in the City to remove snow and ice from the sidewalks. This requirement was repealed in 1962. Mr. Graham may be able to shed more light on the reason for the repeal, but from what he has provided to me, it would appear that there were quite a number of complaints with respect to sidewalks not being cleared and there being difficulty in enforcing same.

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Mr. R.J. Hamilton,
Chief Administrative Officer

June 12, 1979

I wish to point out that if the City of Kingston re-enacted such a by-law under the aforementioned provisions of The Municipal Act, that the City would still have a liability if the sidewalks were not cleared of snow and ice in accordance with the requirements of The Municipal Act. Rogers' On Municipal Law indicates that the passing of such a by-law does not change the liability of the municipality under Section 427 where the municipality is obligated to keep the sidewalks clear of snow and ice. The property owners would be subject to a penalty under the by-law but would not incur liability under Section 427 if the sidewalk was not cleaned and an injury occurred as a result. In fact, the by-law could have a bearing on liability against the City if the City did not require obedience to the by-law by enforcement.

In a decision of the Ontario Court of Appeal in Cokers v. City of Belleville, (1925), 2 D.L.R., 250, Mr. Justice Hodgins states as follows when he considers whether a municipality was liable.

"I do not attach importance to the effect of the legislation which enables the council to pass such a by-law as No. 1126. The council is allowed by it to compel the adjoining occupants to do the work which would otherwise be done by employees of the council. But that power does not absolve the council from liability (Organ v. City of Toronto (1893), 24 O.R. 318; City of Sydney v. Slaney, supra), though it, no doubt, has a bearing upon the question of reasonable time for the performance of the work of "repair", and also necessitates an inquiry as to whether what the council did, and when, to require obedience to the by-law, was reasonable under the circumstances. The council cannot, by passing such a by-law, rid themselves of responsibility, any more than they can send out a gang of men to repair without at the same time seeing that they go to work and accomplish what they were employed to do."

In a more recent decision of the Supreme Court of Ontario dated February 6, 1975, Lutz v. City of Toronto et al, 8 O.R. (2d), 16, the Supreme Court found the City of Toronto guilty of gross negligence when a pedestrian fell on ice on the sidewalk that had been present for four days. The Court indicated that a municipal by-law imposing on the owners of the properties fronting on the

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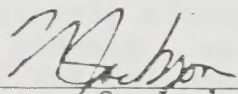
- 4 -

Mr. R.J. Hamilton,
Chief Administrative Officer

June 12, 1979

sidewalk the duty of removing the snow and ice and providing penalties for failure to do so, cannot impose liability on the owners, nor relieve the City from liability imposed on it by Sections 427(1) and 427(4) of The Municipal Act, R.S.O. 1970, Chapter 284. The Corporation remains liable for personal injury caused by gross negligence. The City of Toronto inspection system providing for inspections nine working days apart ignored the fact that snow and ice were more likely to exist after heavy snowfalls and the system, in not providing for more frequent and special inspections as warranted, was not adequate. In determining the question of whether gross negligence existed, the Court indicated that consideration should be given to notice of the dangerous condition, opportunity to remedy it, the state of the weather before the accident and the relevant situation of the place where the accident occurred.

In conclusion, the City could pass a by-law pursuant to Paragraphs 55, 56 and 57 of Section 354 of The Municipal Act requiring property owners to remove snow and ice from the abutting sidewalk, but in doing so, the onus for liability would still rest with the municipality in the event of injuries occurring from non-repair. The municipality would have to continue a system of inspection and be prepared to enforce the by-law in the event that the snow and ice were not removed within a reasonable time.



Norman C. Jackson,
City Solicitor

NCJ/ks

cc: Mr. Doug Graham,
Commissioner of Works

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 14th, 1979.

SUBJECT Widening of Division Street - East Side, Raglan Road
to Main Street - Survey of Property Owners.

ORIGIN Requested by City Council at May 28th, 1979 meeting.

ANALYSIS Fourteen letters were sent to households on the
east side of Division Street from Raglan Road to
Main Street requesting comments on a proposal to
shift the sidewalk five feet easterly in conjunction
with sidewalk reconstruction.

One letter was returned, unopened.

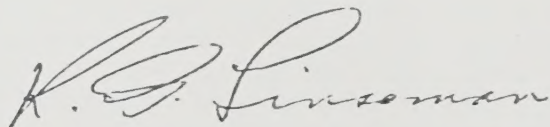
Two letters were received opposing the widening.

One letter with a petition containing 35 signatures
(27 households) objecting to the proposed widening
was received. The petition contains signatures
of the two objecting letters plus seven other house-
holds which were sent letters advising of the proposal.
The other eighteen households on the petition were
either on the other side of the street or outside the
block in question.

In summary, nine of the fourteen households sent
letters objected to the proposed widening.

EXISTING POLICY Policy of Transportation Committee was to widen
Division Street when sidewalks or road require
reconstruction. The next two northerly blocks on
Division Street had already been widened, as well
as the block between Queen Street and Colborne Street
when reconstruction occurred.

RECOMMENDATION (a) That Council be informed of survey results; and
(b) That the recommendation of the Transportation
Committee be considered by Council.



K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 13th, 1979.

SUBJECT Signs - Watch for Children

ORIGIN Letter from Mr. Harley Lockhart, 22 Vine Street,
to Alderman G. Webb.

- ANALYSIS
1. Vine Street and Ann Street are located such that there is little, if any, through traffic. In other words, only people living in the immediate area use those streets.
 2. Both streets have sidewalks. Parking is prohibited on one side.
 3. Both streets carry very little traffic.

- EXISTING POLICY
1. Watch for Children signs are normally installed at,
 - a) streets which do not have sidewalks;
 - b) streets which carry high volumes of traffic;
 - c) areas of high children activity, such as playgrounds and parks.
 2. The objective is to encourage motorists to look for children rather than to look for signs.

RECOMMENDATION That no action be taken on the request for Watch for Children signs on Vine Street and Ann Street.

:lk

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 14th, 1979.

SUBJECT Report of the Inquiry Officer, Bogart W. Trumpour, in the Matter of an Application by the Corporation of the City of Kingston for approval to expropriate land on the south side of Queen Street, described as Part I upon a reference plan. The report has been distributed and the last page containing his decision is attached hereto.

ORIGIN The Expropriation Act, R.S.O. 1970, Chapter 154

- (a) Section 8(1) requires the approving authority (City Council) to consider the report of the Inquiry Officer and shall approve or not approve the proposed expropriation or approve the proposed expropriation with such modifications as the approving authority considers proper.
- (b) Section 8(2) provides that the approving authority (City Council) shall give written reasons for its decision and shall cause its decision and the reasons therefor to be served upon all the parties within ninety days after the date upon which the report of the Inquiry Officer is received by the approving authority (June 11, 1979 - Communication No. 328).
- (c) Section 8(1) provides that where a proposed expropriation has been approved under the Act, the expropriating authority shall register, within three months after the granting of the approval, in the Registry Office an expropriation plan, at which time the land will vest in the expropriating authority.

ANALYSIS

(a) Section 8(1) - Consideration of Report

The Inquiry Officer has recommended that the taking of all the lands in question is fair, sound and reasonably necessary, subject to the conditions offered in my submission at the Inquiry. Conditions 1 and 3 are acceptable as recommended. Conditions 2 and 4 which I submitted at the Inquiry in regard to the provision of parking were similar to the conditions in the agreement between Sedmar Company Limited and the City of Kingston, that the parking spaces "would not be designated parking spaces" (page 11 of the Inquiry Officer's Report) but would be "the same parking concern applied which was solved by an agreement between Sedmar Company and the City of Kingston" (page 7). Therefore, it is suggested that condition 2 of the recommendation be clarified as follows:

That provision of a rear door access to the parking lot from Empire Warehouse Limited building be subject to the market value rent of a monthly parking space.

At the present time, there is no rear access door.

Likewise, that condition 4 of the recommendation be clarified as follows:

That the City permit the tenants and the owners, their successors and assigns, to have the right to rent up to a maximum of 12 monthly parking spaces on the new City-owned and operated parking lot (of which this land forms a part) at the market value rent, it being understood that the parking spaces shall not be designated or reserved, in accordance with the City's parking regulations; and further, that if this parking lot is filled, the holders of the monthly parking stickers may park at other municipal parking lots where monthly parking is permitted. Substitutionally, the tenants and owners, their successors and assigns shall be allowed to rent up to 12 monthly parking spaces on the Byron parking lot at market value rent and in accordance with the City's monthly parking regulations. If this lot is full, any of the aforementioned 12 parking permits may park at other municipal parking lots where monthly parking is permitted. It is understood that the total number of parking permits for the new Queen Street parking lot and the Byron parking lot shall not exceed 12 permits.

(b) Section 8(2) - Reasons for Expropriation

- (i) The stability, economy and general prosperity of the City depend on the viability of our downtown core. In turn, the viability of our downtown core depends a great deal on the availability of convenient parking.
- (ii) The western half of the downtown core presently contains two parking lots and a parking garage. The Chown parking lot and the Robert Bruce parking garage are operating at capacity most of the time and several motorists are turned away each day. Another parking lot known as the Byron parking lot, located on the north side of Queen Street and west of Montreal Street, also operates at capacity several times a week even though it is not a conveniently located parking lot. The proposed parking lot to be located on the south side of Queen Street between Bagot St. and Montreal St. will help reduce the shortage of convenient parking in this half of the downtown core.
- (iii) The significant factor of this site is the type of parking that will be permitted. At the present time, 22 monthly parkers for employees and a few tenants are permitted on the property of Empire Warehouse, whereas the 80 space parking lot will be able to accommodate 400 short term parkers daily, and the proposed first stage parking garage will have 300 spaces and will be able to accommodate 1500 short term parkers daily. The ultimate 500 space garage will be able to accommodate 2500 parkers daily. Although the City will not permit any public monthly parkers, the City is willing to permit Empire Warehouse Limited to rent monthly parking stickers to accommodate their tenants in the adjacent building on Montreal Street.

- (iv) Another significant factor of this site is its proximity to Princess Street. Kingston and other cities of similar size have learned that parking for shoppers must be located within one block of the main street; otherwise, shoppers will not use the parking lots.
- (v) The City is presently embarking on revitalization of the downtown area, including a proposed semi-mall on Princess Street between Montreal St. and Wellington Street. If the semi-mall is implemented, 41 parking spaces would be removed from Princess Street. If other developments take place, additional parking will be required. The City does not require individual developments to provide their own parking. It is neither economical nor practical for individual developments in the downtown core to provide their own parking needs. The City, through its continuing parking program, accommodates the collective needs of the individual developments.
- (vi) The parking demand will also be increased due to the necessity to prohibit parking, at least during the peak hours, to handle the increased traffic from future developments such as the OHIP building, the Place d'Armes project, Marina City and other developments. The only way to increase capacity of the street system in the downtown area is the removal of curb parking. It is just impractical and uneconomical to attempt to widen downtown streets due to commercial developments abutting the street line.
- (vii) As to the question of soundness of the proposed expropriation, the Inquiry Officer is satisfied that the City has taken into consideration the proper factors in locating this parking facility, namely, the cost factor in expropriating primarily vacant land and not built-up land, the absence of dislocation of business and residents, the location in the centre of a block but not in the highest value area on Princess Street, the provision of rear access and commercial walkways to Princess Street.
- (viii) The Inquiry Officer accepts without qualification the evidence that it is not feasible to construct a parking garage upon a frontage of less than 165 feet (which requires all of the Empire property) when some communities place a minimum figure of 200 feet or more on the size of such garages.

ALTERNATIVES

Due to the unfeasibility of accepting a smaller site than required for a feasible parking lot and future parking garage, there is really no alternative to consider. Furthermore, one of the conditions of the Sedmar agreement provides Sedmar with the option to repurchase from the City the land sold by it to the City for a parking lot, at the same price as the purchase price, within 10 years from December 18th, 1978, if the City does not proceed with the entire site.

EXISTING POLICY

- (a) Conforms with City policy (Official Plan) that the City will provide municipal parking lots in the downtown area.
- (b) Conforms with City policy that spaces on monthly off-street parking facilities shall not be reserved except at doorways to abutting property.

FINANCIAL
CONSIDERATION

Money has been provided in the parking lot construction by-law approved by the O.M.B. and in the reserve fund. Delay of the project has cost the City about \$8,000. The parking lot will now open in the fall instead of the spring of 1979 as originally scheduled.

RECOMMENDATION

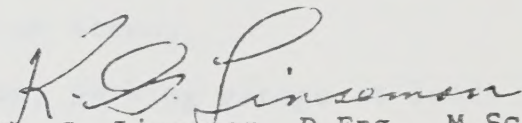
That the recommendation of the Inquiry Officer be approved, subject to the clarifications and for the above stated reasons; and

That the proceedings of expropriation initiated by Council be completed by presenting a by-law to Council to authorize the expropriation of the property of Empire Warehouse (Kingston) Limited, on the south side of Queen Street between Montreal and Bagot Streets, described as all of Lot 303, Original Survey; and

That the Expropriation Plan be registered in the Registry Office, at which time the land will vest in the City; and

That Empire Warehouse Limited also be advised that the City is willing to negotiate at any time if it so wishes.

:lk

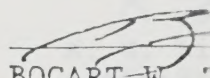

R. G. Linseman, P.Eng., M.Sc.,
Administrator.

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I therefore recommend to the Approving Authority that the taking of all of the lands in question is fair, sound and reasonably necessary to the objectives of the Expropriating Authority, upon the following conditions offered in the submission of the City of Kingston at the Inquiry:

1. Provision of a 40-foot long loading zone on Montreal Street in front of the commercial premises of Empire Warehouses Limited.
2. Provision of rear-door access to the parking lot from such commercial premises and the leaving of one parking space in front of such entrance for possible loading or access.
3. Construction of any parking garage at least 4 feet from the new property limit.
4. Provision of 12 parking spaces in the facility (or substitutionally in another parking facility not more than one block away) for the commercial and residential tenants of Empire Warehouses Limited.

With respect to costs of the Inquiry, I recommend the payment of the sum of \$200.00 to Empire Warehouses Limited.


BOGART-W. TRUMPOUR
Inquiry Officer

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 14th, 1979.

SUBJECT Relocated Emergency Entrance - Hotel Dieu Hospital,
to Boulevard on Brock Street

ORIGIN Letter from Hotel Dieu Hospital, June 7th, 1979
(copy of letter and plan attached).

ANALYSIS

- (a) Paving of boulevard requires approval of Council.
- (b) Two meetings were held with representatives of
Hotel Dieu Hospital on the proposed temporary
relocation of the emergency entrance onto City
boulevard on Brock Street.

ALTERNATIVES

Hotel Dieu Hospital representatives had originally suggested using the south curb lane of Brock Street, which would involve shifting the two travelled lanes to the north side. This proposal would require relocation of parking meters on the north side of Brock Street between Sydenham St. and Clergy St. to the south side. It would also cause potential rear end collisions with motorists turning into the entrance of the Chown parking lot. Since there would be more potential conflict and accidents with vehicles entering the Chown parking lot, compared to only a few emergency vehicles using the curb lane, it would be safer for those few emergency vehicles to drive on the boulevard, to be paved temporarily.

FINANCIAL
CONSIDERATION All costs to be borne by Hotel Dieu Hospital.

RECOMMENDATION That Hotel Dieu Hospital be granted permission to pave and use the boulevard as an emergency entrance until their new emergency entrance is constructed.

K.G. Linseman
K. G. Linseman, P.Eng., M.Sc.,
Administrator.

REPORTS (Cont'd)

Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That Report No. 69 of the Chief Administrative Officer be received and considered.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

June 14, 1979

M E M O R A N D U M

TO: ALL MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

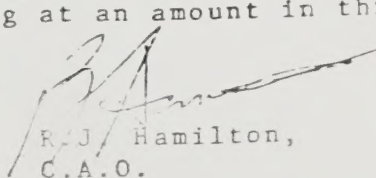
RE: GRANT - ST. GEORGE'S CATHEDRAL

Council will recall that at budget deliberations we did not approve any funding for this purpose. However, it is our understanding that Council agreed to reconsider the matter at a later date if the fund raising activities fell short of their requirements.

It is our understanding and based on their recent letter they are approximately \$1,500. short and have requested that we introduce this matter for Council's consideration at this time.

If Council supports this request, it should be pointed out that this would become a charge to Finance Contingencies.

In 1976, Council awarded a grant of \$1,000. to another organization who were going to England and as such this may form a basis for arriving at an amount in this instance.


R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUN 13 1979

June 12, 1979.

Chief Administrative Officer,
City of Kingston,
City Hall,
Kingston, Ontario.

Dear Sir:

Re: Grant - St. George's Cathedral
Choir. Ref. No. 7-3

This is to acknowledge receipt of the letter from M.C. Healy, Deputy City Clerk, of March 26, 1979, concerning the above matter.

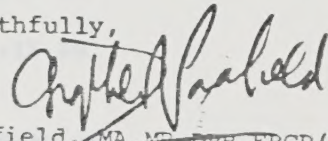
Apparently at the meeting of City Council held on March 10, 1979, no action was taken on our request for a grant towards our fund raising drive for the visit to England this summer of the St. George's Cathedral Choir.

Apparently members of Council agreed that if we were unable to raise the necessary funds, that we should be invited to approach Council again for some assistance.

Our trip to Britain begins at the end of next month, and at the present time we are approximately \$1500 short of our budget total of \$54,000. At our Fund Raising Committee meeting last night, it was decided to approach the City Council again to ask if it might see fit to give us some financial assistance to reach our target goal. We would again like to point out that we are St. George's Cathedral, Kingston, Choir, and we shall be singing in Worcester, York, Cambridge, Ely, London (St. Paul's Cathedral) and St. George's Chapel, Windsor.

We certainly would appreciate Council reviewing our request.

Yours faithfully,



C. J. Padfield MA, DPH, FRCP(C)
Tour Manager.

CJP:lp

ST. GEORGE'S CATHEDRAL CHOIRENGLAND TRIP, 1979

Sunday, July 29th AM: Last service in Kingston
Afternoon: Bus, Kingston - Toronto
Night: Plane, Toronto - London (Heathrow), Depart 8:00 PM,
flight BA 70

Monday, July 30th AM: Arrive London (Heathrow) 7:40 AM
Bus, London - Worcester
PM: Arrive Worcester
Accommodation in Kings School, Worcester (WRI-2LP)

Tuesday, July 31st Worcester Cathedral - Evensong, 5:15 PM

Wednesday, August 1st Worcester Cathedral - Evensong, 5:15 PM

Thursday, August 2nd No services - full day excursion

Friday, August 3rd Worcester Cathedral - Evensong, 5:15 PM

Saturday, August 4th Worcester Cathedral - Evensong, 5:15 PM

Sunday, August 5th Worcester Cathedral - Sung Eucharist 11:00 AM &
Evensong, 4:00 PM
Evening: Bus, Worcester - York
Accommodation in St. Peter's School, York (Y03-6AB)

Monday, August 6th York Minster - Evensong, 4:00 PM

Tuesday, August 7th York Minster - Evensong, 4:00 PM

Wednesday, August 8th No services - full day excursion

Thursday, August 9th York Minster - Evensong, 4:00 PM

Friday, August 10th York Minster - Evensong, 4:00 PM

Saturday, August 11th York Minster - Evensong, 4:00 PM

Sunday, August 12th York Minster - Morning Service, 11:00 AM &
Evensong, 4:00 PM

Monday, August 13th AM: Bus, York - Cambridge
Accommodation in Queens College (CB3 9ET)
Kings College - Evensong, 5:15 PM

Tuesday, August 14th Kings College - Evensong, 5:15 PM

Wednesday, August 15th AM: Bus, Cambridge - Ely
Ely Cathedral - Concert - 12:30 PM
PM: Bus, Ely - London
Accommodation in Northampton Hall, Bunhill Row (EC1-Y8LJ)

Thursday, August 16th St. Paul's Cathedral - Evensong, 4:00 PM

Friday August 17th St. Paul's Cathedral - Evensong, 4:00 PM

Saturday, August 18th St. Paul's Cathedral - Evensong, 4:00 PM

Sunday, August 19th St. George's Chapel, Windsor - Evensong, 5:00 PM

Monday, August 20th PM: Plane, London (Heathrow) - Toronto, Depart 3:15 PM,
flight #BA 71 - Arrive Toronto 6:00 PM
Evening: Bus, Toronto - Kingston

(See Following Motion)

REPORTS (Cont'd)

Report No. 69 - Chief Administrative Officer

Moved by Ald. Webb,
Seconded by Ald. Knapp,

That a grant of \$1,000 be made to St. George's Cathedral Choir to assist the Choir with the monies required for a tour to England and the following budget transfer be approved:

	<u>Increase</u>	<u>Decrease</u>
Finance - Grants	\$1,000.	
Finance - Contingencies		\$1,000.

CARRIED AS AMENDED
(See following motion to amend)

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That the motion of Ald. Webb and Ald. Knapp be amended to delete the grant amount of "\$1,500" and substitute the amount of "\$1,000".

CARRIED

* * *

Report No. 70 - Chief Administrative Officer

Moved by Ald. McArthur,
Seconded by Ald. Miller,

That Report No. 70 of the Chief Administrative Officer be received and considered.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 20-8

June 14, 1979

M E M O R A N D U M

TO: ALL MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: STREETS - ONTARIO STREET
- PRINCE GEORGE HOTEL

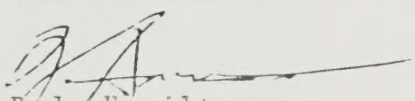
At present the City has given the Prince George Hotel a leave and license to construct a two storey veranda on a portion of Ontario Street road allowance on the condition that if the veranda interferes with the sidewalk, the owner will remove it upon thirty days notice.

The Prince George Hotel requests that the City forward a letter to the Liquor License Control Board to indicate it is not opposed to the issuance of a Patio Liquor License for an outside dining area and does not intend to tear down the veranda in this regard upon due notice.

If Council has no objection to this undertaking, we suggest that approval of the following resolution be given:

"THAT as requested by the Prince George Hotel, the Liquor License Board of Ontario be notified that the Corporation of the City of Kingston has no objection to the issuance of a Liquor License for an outside dining area under or on the veranda of the said Hotel and, at this time, does not require the removal of the veranda under the terms of the Encroachment License."

RJH/ea


R.J. Hamilton,
C.A.O.

REPORTS (Cont'd)

Report No. 70 - Chief Administrative Officer

Moved by Ald. Tarnowecky,
Seconded by Ald. McArthur,

That, as requested by the Prince George Hotel, the Liquor Licence Board of Ontario be notified that the Corporation of the City of Kingston has no objection to the issuance of a Liquor Licence for an outside dining area under or on the veranda of the said Hotel and, at this time, does not require the removal of the veranda under the terms of the encroachment licence.

CARRIED 9:5
(See Recorded Vote)

Ald. Knapp requested a recorded vote which was as follows:

YEAS: Ald. Bishop, Ald. Clark, Ald. Gerretsen, Ald. Knapp,
Ald. Lampropoulos, Ald. McArthur, Ald. Miller, Ald. Tarnowecky,
Ald. Webb. (9)

NAYS: Mayor Keyes, Ald. Clements, Ald. Gorham, Ald. Hawkins,
Ald. Matthews. (5)

* * *

COUNCIL

- (1) Moved by Ald. Webb,
Seconded by Ald. Bishop,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MOTIONS

- (1) Moved by Ald. Webb,
Seconded by Ald. Bishop,

That the congratulations of Council be extended to Father Edward Briceland who, in May 1979, observed his 50th anniversary in the Priesthood.

CARRIED

- (2) Moved by Ald. Matthews,
Seconded by Ald. Bishop,

That the condolences of Council be extended to Ald. Joe Hawkins and his family on the death of his father.

CARRIED

- (3) Moved by Ald. Webb,
Seconded by Ald. Gerretsen,

That the Federal Government of Canada and the Minister of External Affairs be notified that the City of Kingston urgently requests that immediate arrangements be made to accept as large a number of refugees as possible, currently located in Malaysia, for immediate immigration to Canada.

CARRIED

NOTICE OF MOTION

Moved by Ald. Hawkins,
Seconded by Ald. Clements,

That the Chief Administrative Officer review the current winter control program with the intent of improving the service by setting priorities and integrating of existing manpower in the Public Works Department and Parks and Recreation Department and that the Chief Administrative Officer report back to Council by September 1, 1979.

REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER

BYLAWS

Council consented to the addition of By-Law No. 6.

Council consented to the withdrawal of By-Law Nos. 2 and 3 as Clause 12 of Report 68 was lost and Clause 4 of Report No. 68 was referred back to the City Treasurer and to the withdrawal of By-Law 5 since O.M.B. approval has not yet been received.

- (A) Moved by Ald. Hawkins,
Seconded by Ald. Gorham,

That By-Law Nos. 1 and 4 be given their First & Second Readings.

CARRIED

- (B) Moved by Ald. Matthews,
Seconded by Ald. Tarnowucky,

That Rule No. 35 of By-Law No. 1 be suspended for the purpose of giving By-Law No. 4 its Third Reading.

CARRIED

- (C) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That By-Law Nos. 4 and 6 be given their Third Reading.

CARRIED

- (1) A By-Law to Amend By-Law No. 9396, "A By-Law to Authorize the Construction of a 32' Wide Asphalt Pavement (With Width Over 28' to be assumed by the City), with Concrete Curb, Gutter and Boulevard in Victoria Street from Third Avenue to Dorrance Street, Under the Provisions of Section 7 of the Local Improvement Act (Petition)". (Increased Cost)

(FIRST & SECOND READING)
Clause 1, Report No. 68, 1979

Proposed No. 79-123

- (2) A By-Law to Authorize the Execution of an Agreement with the Kingston Bus for the Handicapped (Provision of Transportation for the Physically Disabled and the Allocation of Subsidy Funds from the Provincial Government).

(FIRST & SECOND READING)
Clause 4, Report No. 68, 1979

Proposed No. 79-124

WITHDRAWN

BYLAWS (Cont'd)

- (3) A By-Law to Authorize the Construction of Widening of Asphalt Pavement by 1.5 Meters on the East Side of Division Street from Raglan Road to Main Street (General Rate).

(FIRST & SECOND READING)
Clause 12, Report No. 68, 1979

Proposed No. 79-125

WITHDRAWN

- (4) A By-Law to Confirm the Proceedings of Council at its meeting held on June 18, 1979.

(THREE READINGS)
City Council Meeting No. 24

Proposed No. 79-126

- (5) A By-Law to Authorize the Reconstruction and Widening of Princess Street to Five Lanes from 196.28 Meters (644') East of Portsmouth Avenue to 191.50 Meters (628.3') West of the Parkway, Including the Widening of Approaches to Princess Street on Portsmouth Avenue. (General Rate)

(THIRD READING)
Clause 16, Report No. 65, 1979

Proposed No. 79-120

WITHDRAWN

- (6) A By-Law to Close Ontario Street from Brock Street to Market Street on Saturday, June 23, 1979 from 10:30 a.m. to 12 noon for Community Purposes.

(THREE READINGS)
Clause 13, Report No. 68, 1979

Proposed No. 126(a)

*

*

*

UNFINISHED BUSINESS

Alderman Lampropoulos said that he had joined in the Waterfront Walk on Sunday, June 17th 1979. It had taken some three hours and he had enjoyed it. He extended congratulations to the organizers.

Alderman Lampropoulos urged the members of Council to join in the Jog-a-Thon on Sunday, June 23rd 1979.

Alderman Miller said that the Waterfront Walk was very enjoyable. She said that she would accept Alderman Lampropoulos' thanks on behalf of the people who organized this walk.

Alderman Miller said that she had received many pieces of City mail including a memorandum from the Social Services Administrator pointing out information with regard to the questions she had asked at Council. It appeared from the memorandum that the statistics for employable recipients did in fact include dependants. She asked the Committee formed by Council to study the implementation of a County Welfare System to make sure that when they are doing their research that they make it very clear whether or not dependants are included in the figures they use in order that a true picture will be shown. She also requested that the Committee determine whether or not under the General Welfare Assistance Legislation there is a time limit for the receipt of welfare assistance. She suggested that the Committee ask various Labour Organizations, i.e. local C.U.P.E. organizations, Kingston Labour Council and the Unemployment Help Centre for their input with regard to finding work for people in receipt of welfare.

Alderman Knapp referred to the opening of the new Crock and Block Restaurant and said that the owners should be congratulated. The landscaping is very pleasing and the interior is very impressive.

Moved by Alderman Knapp,
Seconded by Alderman Clements,

That the congratulations of Council be extended to the owners of the new restaurant "Crock and Block" located at the corner of Princess and Nelson Streets.

CARRIED.

Alderman Hawkins said that the meeting of Council scheduled for Tuesday, June 19th 1979, at 7 p.m. conflicted with the meeting of the Community Memorial Centre Board.

Following discussion it was agreed that the meeting of Council be held on Tuesday, June 19th 1979, at 8 p.m.

Alderman Webb explained the situation with regard to refugees currently located in Malaysia and said that everything possible should be done to permit these people to immigrate to Canada. He had discussed the matter with Archbishop Wilhelm who was very concerned. He suggested that the local member of parliament be asked for their assistance in this regard.

Mayor Keyes suggested that Alderman Webb move a motion in this regard and he would see that The Honourable Flora MacDonald received it.

(Note: The motion appears as Motion No. 3 of the Minutes on Page 709.

Alderman Tarnowecy asked the Chief Administrative Officer to look into the matter of the decking of the Crown Parking Lot. He believed that this money could be used to gain parking lots in different areas of the City with more priority and he requested that this matter be brought before the Council.

Alderman McArthur complained about a problem with regard to water coming up out of a manhole at the corner of Cowdy and Pine Streets.

Alderman McArthur said that with regard to comments made earlier in the meeting on the crowding at a local hotel and the fact that policemen are called there sometimes twice in one night to settle fights he would like the Fire Department to look into the matter as he was quite certain that the lounge is over-crowded.

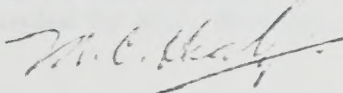
ADJOURNMENT

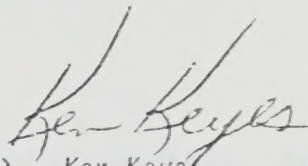
Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Council do now adjourn.

CARRIED

Council adjourned at 10:15 p.m.

 (L.S.)
(Signed) M.C. Healy
City Clerk


(Signed) Ken Keyes
Mayor

CITY COUNCIL MEETING NO. 25

A Special Meeting of City Council, summoned by Mayor Keyes, was held on TUESDAY, June 19, 1979, at 8:12 p.m. in the Council Chamber, City Hall, to meet with the members of the City of Kingston Planning Board to discuss the Counter Street Industrial Area and, in session NOT open to the public, to consider employee matters. His Worship Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements (arrived at 9:00 p.m.), Ald. Gerretsen (arrived at 8:52 p.m.), Ald. Gorham (arrived at 8:20 p.m.), Ald. Hawkins, Ald. Lampropoulos, Ald. Matthews, Ald. Miller, Ald. Tarnowecy, Ald. Timmins (12)

COMMITTEE OF THE WHOLE

- (1) Moved by Ald. Clark,
Seconded by Ald. Hawkins,

That Council resolve itself into a Committee of the Whole, with Mayor Keyes in the Chair, to meet with the City of Kingston Planning Board, Planning Board Staff and City Department Heads to discuss the Counter Street Industrial Area.

(Note: Memorandum, re: Clyde Farm, from Mr. R.J. Hamilton, Chief Administrative Officer, dated June 7, 1979, has, previously, been distributed to the members of Council)

CARRIED

- (2) Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That Council Rise from the Committee of the Whole and the Chairman Report.

CARRIED

* * *

Mayor Keyes reported that the Committee of the Whole met with the following appointed members of the City of Kingston Planning Board and civic staff and that the following resolutions were considered in the Committee of the Whole:

Mrs. J. Clarke, Mr. J.T. McKenzie, Mr. H. Meyer and Mr. H. Marans.

Mr. R.J. Hamilton, Chief Administrative Officer,
Mr. B.G. Cousens, City Treasurer,
Mr. D. Graham, Commissioner of Works,
Mr. G.G. Muirhead, Director of Planning and Urban Renewal and
Mr. W.D. Stevens, Commissioner of Industries.

- (A) Moved by Ald. Bishop,
Seconded by Ald. Timmins,

That it be recommended to the City of Kingston Planning Board that the Clyde Farm Industrial Park be zoned "Commercial" from Counter Street northerly 350 feet and that the balance of the Clyde Farm Industrial Park be zoned "Industrial M".

LOST 4:8

*(See following motion which was ruled
Not in Order)*

- (B) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Motion (A) of Ald. Bishop and Ald. Timmins be amended to read:

"That it be recommended to the City of Kingston Planning Board that the Clyde Farm Industrial Park be zoned "Modified Industrial", which would permit retail sale of components made thereon, from Counter Street northerly 350 feet and that the balance of the Clyde Farm Industrial Park be zoned "Industrial M".

Motion Ruled Not in Order by Mayor Keyes as the amendment was contrary to the Original Motion.

- (C) Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That it be recommended to the City of Kingston Planning Board that the Clyde Farm Industrial Park be zoned from Counter Street northerly 350 feet to permit small industrial uses with a common point of ingress from, and egress to, Counter Street, and with the users to be allowed the right to sell their products

- and -

That the balance of the Clyde Farm Industrial Park be zoned as Industrial "M" with provision to allow a retail component in the "M" zone.

*CARRIED AS AMENDED
(See following Motion)*

- (D) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Motion (C) of Ald. Gerretsen and Ald. Timmins be amended in the second paragraph by adding, after the words, "Industrial 'M'", the following words"

"with provision to allow a retail component in the
"M" zone."

CARRIED

*

*

*

COUNCIL

- (3) Moved by Ald. Matthews,
Seconded by Ald. Miller,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

Ald. Miller and Ald. Tarnowecky left the meeting at 11:30 p.m.

COMMITTEE OF THE WHOLE

- (4) Moved by Ald. Hawkins,
Seconded by Ald. Timmins,

That Council resolve itself into a Committee of the Whole NOT open to the Public, with Mayor Keyes in the Chair, to consider the following employee matters:

- a) Salaries of non-union personnel.
- b) Fire Chief
- c) New Position - Assistant to Clerk

CARRIED

Ald. Clements and Ald. Gorham left the meeting at 12 midnight.

- (5) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Council Rise from the Committee of the Whole and the Chairman Report.

CARRIED

* * *

Mayor Keyes reported:

- (A) That representatives of the City Administrative Association had submitted a brief concerning 1979 salaries for non-union employees which had been referred to the Chief Administrative Officer for a report for later consideration of the Committee of the Whole, and
- (B) That the following motion had been approved:

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That, in accordance with Rule 16 of By-Law No. 1, permission be given to continue the City Council meeting until consideration of item (4)(a) on the Agenda is concluded.

CARRIED

* * *

COUNCIL

- (6) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

BYLAWS

- (A) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That By-Law 1 be given its First & Second Reading.

CARRIED

- (B) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of
Giving By-Law 1 its Third Reading.

CARRIED

- (C) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That By-Law 1 be given its Third Reading.

CARRIED

* * *

- (1) A By-Law to Confirm the Proceedings of Council at its Special
Meeting Held June 19 and 20, 1979.

(THREE READINGS)

(Proposed No. 79-127)

City Council Meeting No. 25, 1979

ADJOURNMENT

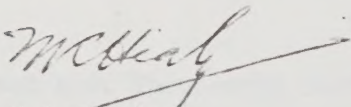
Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Council do now Adjourn.

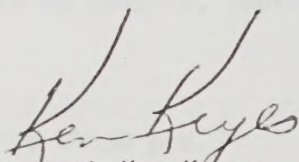
CARRIED

Council Adjourned at 12:35 a.m., June 20, 1979.

(L.S.)



(Signed) M.C. Healy,
City Clerk



(Signed) Ken Keyes,
Mayor

CITY COUNCIL MEETING NO. 26

The regular meeting of City Council was held on Monday, June 25, 1979 in the Council Chamber, City Hall at 7:03 p.m. His Worship Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements (arrived at 7:10 p.m.) Ald. Gerretsen (arrived at 7:05 p.m.) Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowewky, Ald. Timmins, Ald. Webb (15)

MINUTES

Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That the Minutes of Council Meeting No. 23 held on June 11, 1979, the Minutes of Council Meeting No. 24 held on June 18, 1979 and the Minutes of Council Meeting No. 25 held on June 19, 1979 be adopted as printed.

CARRIED

PETITIONS

COMMUNICATIONS

Council consented to the addition of Communication Nos. 342 to 355.

Filed

- (340) A copy of a letter to St. Lawrence College from The Liquor Licence Board of Ontario acknowledging receipt of an application for additional lounge facilities at St. Lawrence College, (Kingston Campus). (Lounge #4 - Main Floor (Grenville Hall) (753 persons). (File No. 12-6).
- (341) A copy of a letter to R.J. Alder Enterprises Ltd. (Frontenac Hotel) from The Liquor Licence Board of Ontario acknowledging receipt of an application for building alterations (revised plans) to the Frontenac Hotel, Kingston. (File No. 12-6)
- (342) From the Association of Municipalities of Ontario forwarding a copy of their May/June 1979 Newsletter to the City. (File No. 1-5)
- (343) From the Municipal Liaison Committee forwarding a copy of their May, 1979 Newsletter to the City. (File No. 13-10)
- (Note: Copies were distributed to Council members)
- (344) From Mr. J.E. Taylor, Clerk, County of Frontenac, notifying that Council's resolution (R.65(13)79) inviting the County of Frontenac to appoint a representative to the Special Committee to report to Council on a study of implications of a County-Wide Welfare System will be brought to the attention of County Council at their next meeting on July 10, 1979. (File No. 20-5.3)
- (345) From John & Lucy Burns thanking the City for the flowers they received in honour of their Golden Wedding Anniversary. (File No. 1-1)

COMMUNICATIONS (Cont'd)

- (346) From Rev. Edward Briceland thanking the members of Council for their motion of congratulations on his anniversary of 50 years in the priesthood.
(File No. 3-6)

Referred to the Chief Administrative Officer

- (347) From the Corporation of the City of Windsor requesting that the City endorse the following resolution:

"WHEREAS prior to a change in legislation in 1972 many Ontario municipalities found it desirable to provide for a three year term of office for the Council and other local elective offices;

- and -

WHEREAS for the following reasons, many municipalities, and in particular, large urban communities, should be given the option of three year terms:

- (a) decisions made by local municipalities require long range financial and land use planning and the implications of such planning often have a very long term effect;*
- (b) good long-range planning is made very difficult by a two year term;*
- (c) election campaigning is costly and a two year term may limit the ability of many people to participate in municipal government;*
- (d) in large urban areas election campaigns may require several months to complete;*
- (e) municipalities would be able to share costly votomatic and other election equipment; and also the cost to municipalities to conduct elections would be reduced;*

- and -

WHEREAS in most Canadian provinces the term for municipal officials are three years; and

WHEREAS the Municipal Liaison Committee representing over 800 Ontario Municipalities supports a three year term;

THEREFORE BE IT RESOLVED that the province be requested to amend the Municipal Elections Act to give municipalities the option of implementing three year terms for municipally elected representatives."

(File No. 5-2)

COMMUNICATIONS (Cont'd)Filed

- (348) From the Liquor Licence Board of Ontario notifying that the Prince George Hotel Patio Lounge Licence is for 8 persons and the Patio Dining Lounge is for 11 persons, both located on the front porch of the Hotel and that the Patio must be enclosed with a permanently fixed separation having a minimum height of 3 feet.
(File No. 12-6)

Referred to the Chief Administrative Officer

- (349) From the Association of Women Electors of Kingston Area requesting the following from the City:

"We wish to request an amendment to Subsection C of By-Law 79-94 regarding access to public documents with special reference to documents under the jurisdiction of the Chief Building Official.

We request that documents be made available to the public in conformity with the Building Code Act section 22(4) which allows the Director to order disclosed any information etc. acquired or received under the powers conferred by the Act. To clarify the extent of the right to disclose, the Director has issued a directive dated March 2, 1977 which allows the disclosure of any material etc. received in "day-to-day operations" under the powers conferred.

We refer you to Municipal World, December 1978, p. 311, an article based on the report by Ian MacF. Rogers, Q.C. regarding the liability of building officials and particularly to p. 316."

(File No. 3-6)

Referred to the Mayor's Office

- (350) From McDonald's Family Restaurant extending their invitation to members of City Council, wives or guests to be present at the ribbon cutting ceremony to officially open their new store. The ceremony will take place at 2:30 p.m. on Saturday, June 30, 1979.

(Note: Copy was distributed to each member of Council)

Referred to the Downtown Core Committee

- (351) From Royal Trust, Montreal, Quebec notifying the City that they are prepared to co-operate totally with regard to the development of a semi-mall along Princess Street, between Wellington and Montreal Streets on a cost-sharing basis.
(File No. 4-3.5)

Filed

- (352) From the family of the late Mr. Hawkins thanking the City for their flower arrangement.
(File No. 19-7)

COMMUNICATIONS (Cont'd)

Filed

- (353) From Joyce Arbuckle, Chairman of the N.I.P. Committee with regard to the remarks made under "Unfinished Business" at the June 11th Council Meeting, commenting on the following topics:

- a) formation of the N.I.P. Committee,
- b) enforcement of the Property Standards By-Law in the N.I.P. Area,
- c) RRAP and OHRP loans and,
- d) City of Kingston Zoning By-Law

(File No. 15-2)

(Note: Copy was distributed to each member of Council)

Referred to the Committee of the Whole (Re: Clause 24, Report No. 71)

- (354) From the Alma Mater Society Inc., of Queen's University informing the City that they fully endorse the permanent closing of Queen's Crescent between University Avenue and Albert Street due to the high volume of pedestrian traffic daily in this area.
(File No. 20-9.10)

(Note: Copy was distributed to each member of Council)

Referred to the Chief Administrative Officer

- (355) From the Hon. James Snow, Minister of Transportation and Communications acknowledging Council's request (R.63(13)79) for an increase in subsidy amount for upgrading Runway 06R-24L from \$90,000. to \$130,000. in order to do work at total revised cost of \$216,000. and notifying that he is prepared to approve of the increased subsidy payment on the understanding, because the Province's airport budget is already totally committed, that they may not be able to make the complete payment this year. Any unpaid invoices could be paid in April, 1980.
(File No. 1-2.1-1)

COMMITTEE OF THE WHOLE

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That Council resolve itself into the Committee of the Whole to receive delegations and reports, with Mayor Keyes in the Chair.

CARRIED

- (B) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Council Rise from the Committee of the Whole and the Chairman Report.

CARRIED

Mayor Keyes reported that the following Delegations were received and Report No. 71 and No. 72 were considered in the Committee of the Whole as follows:

DELEGATIONS

- (1) Dr. H.M. Love, Vice-Principal, Queen's University spoke on behalf of the request by the University that Queen's Crescent remain closed on the basis of Plan 63-L065.

(Note: Item No. 24, Report No. 71, included a copy of a letter from Dr. Love and a vehicle and pedestrian traffic survey).

- (2) Mr. J.D. Cunningham, Solicitor for Empire Warehouse Limited was present with regard to the expropriation of property on the south side of Queen Street between Montreal and Bagot Streets described as all of Lot 303, Original Survey.

(Note: A copy of a brief from Mr. Cunningham was distributed to all members of Council with the agenda).

REPORTS

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Report No. 71 of the Chief Administrative Officer be received and adopted.

REPORT NO. 71

June 25, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

Ald. Bishop declared a conflict of interest in Clause 1 as he had acted for Mr. Cadieux, owner of adjoining land.

1. That, as recommended by the Traffic and Streets Administrator, the recommendation of the Inquiry Officer be approved, subject to the clarifications and for the reasons stated in the report attached hereto as Schedule "A" (5 Pages) and a by-law be presented to Council to authorize the expropriation of the property of Empire Warehouses (Kingston) Ltd. on the south side of Queen Street between Montreal and Bagot Street described as all of Lot 303 Original Survey. (See By-Law 3 - No. 79-130).

CARRIED 11:3

(See Recorded Vote)

Ald. Bishop abstained from voting

Ald. McArthur requested a recorded vote on Clause 1, Report No. 71, which was as follows:

YEAS: Mayor Keyes, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Miller, Ald. Tarnowecky, Ald. Timmins (11)

NAYS: Ald. Matthews, Ald. McArthur, Ald. Webb (3)

REPORTS (Cont'd)

Report No. 71 - Chief Administrative Officer

Ald. Webb withdrew at 9:20 p.m.

Ald. Timmins withdrew at 9:20 p.m.

2. WHEREAS the following Notice of Motion was presented at the regular meeting of City Council held on June 11th 1979 and referred to the Chief Administrative Officer:

"Moved by Alderman Hawkins,

Seconded by Alderman Matthews,

That By-Law No. 1 be amended to accommodate a summer schedule for Council - Council meetings shall be Monday, July 9th, Monday, July 23rd, Monday, August 13th and Monday, August 27th."

That, as recommended by the Chief Administrative Officer, since the day and time of Council Meetings during July and August may be at such other date and time as Council may, by resolution indicate, Council Meetings during July and August of 1979 be held according to the following schedule:

6:30 p.m.	- In Camera	- Monday, July 9, 1979
8:00 p.m.	- Regular Meeting	- Monday, July 9, 1979
7:00 p.m.	- Regular Meeting	- Monday, July 23, 1979
7:00 p.m.	- Regular Meeting	- Monday, August 13, 1979
7:00 p.m.	- Regular Meeting	- Monday, August 27, 1979

CARRIED

3. That, as recommended by the Grand Theatre Board, Change Order No. 15 to the contract with Emmons and Mitchell Construction Limited for the renovations to the Grand Theatre, as submitted by Smith, Mill and Ross, Architects, in the amount of \$2,082.86, be approved.

- and further -

that the balance remaining in the contingency fund of \$1,333.58 and the sum of \$749.28 from the balance of \$2,678.00 remaining in the carpet allowance, for a total of \$2,082.86, be used to cover the cost of Change Order No. 15.

(See Report from the Board of Management for the Grand Theatre attached as Schedule "B" (1 Page).

CARRIED

REPORTS (Cont'd)

Report No. 71 - Chief Administrative Officer

4. That the account of Quintal & England Ltd. in the amount of \$1,855.42 for roof repair work on Hangar No. 3 (Kingston Tennis World) be paid it being noted that there are sufficient funds in the 1979 Budget for this purpose.

(See Report of the Commissioner of Industries and Airport Administrator attached hereto as Schedule "C" (1 Page).

CARRIED

Ald. Gerretsen opposed

5. That, as recommended by the City Treasurer, the following resolution of the City of Windsor be endorsed:

"THAT WHEREAS expenditures in all municipal services have risen significantly in recent years;

AND WHEREAS expenditures in police services have increased proportionately greater than other services, and major cities in the Province of Ontario are experiencing a heavy financial burden in the cost of policing;

AND WHEREAS the cost of policing in regional areas is no greater than the cost of policing in major urban municipalities;

AND WHEREAS the provincial subsidy to regional forces exceeds by 50% the subsidy provided in municipal forces;

AND WHEREAS the level and quality of policing must be maintained and improved in terms of the objectives of crime control, protection of life and property, and peace and order, throughout the Province;

THEREFORE BE IT RESOLVED that the Government of Ontario be urged to give immediate attention to the equalization of per capita grants, for policing to major urban municipalities and regional areas, thereby eliminating the present obvious gross inequity."

(A copy of the report of the City Treasurer is attached as Schedule "D" (1 page).

CARRIED

Ald. Webb returned at 9:25 p.m.

Ald. Lampropoulos withdrew at 9:26 p.m.

Ald. McArthur withdrew at 9:28 p.m.

Ald. Timmins returned at 9:28 p.m.

REPORTS (Cont'd)

Report No. 71 - Chief Administrative Officer

6. That, as recommended by the City Treasurer, the following resolution of the Regional Municipality of York be endorsed:

"WHEREAS a substantial portion of assistance from the Province to Municipalities including this Regional Municipality is by way of conditional grants;

AND WHEREAS, conditional grants encourage Municipalities to spend large sums of monies in order to obtain such grants and thus either maintain or increase the current tax burden to the Region's taxpayers;

AND WHEREAS conditional grants are inconsistent and contradictory to the Province's espoused policy of fiscal restraint and local autonomy;

AND WHEREAS, such conditional grants emasculate and render ineffective the policy powers of local and Regional Municipalities;

AND WHEREAS it is submitted that Local and Regional Municipalities are the bodies most competent to effectively and efficiently decide the allocation of their financial resources to best benefit their citizens;

NOW THEREFORE BE IT RESOLVED that Council petition the Province to amend the Municipal assistance program to be on a formula or other unconditional basis, at the earliest opportunity."

(A copy of the report of the City Treasurer is attached as Schedule "E" (1 page).

CARRIED

Ald. Knapp opposed

Ald. Miller opposed

Ald. Gerretsen withdrew at 9:30 p.m. and returned at 9:35 p.m.

Ald. McArthur returned at 9:35 p.m.

Ald. Lampropoulos returned at 9:36 p.m.

7. That the following recommendation, referred back at the meeting of City Council of June 18th 1979 to obtain the approval of the Kingston Bus for the Handicapped, be approved:

"That, a by-law be presented to Council to authorize the execution of an agreement with the Kingston Bus for the Handicapped and that the agreement be forwarded to the Ministry of Transportation and Communications for their approval, further, pursuant to the Public Transportation & Highway Improvement Act, the Council of the Corporation of the City of Kingston hereby requests an allocation of subsidy funds for transportation for the physically disabled in the amount of \$18,250. for combined capital and operating assistance programme."

(A copy of the agreement signed by the Kingston Bus for the Handicapped was distributed to the members of Council with the agenda. Please note changes in the following Sections:

2.J., 3.C., 4.G. and 2.O, 3.B and 3.D.

A copy of the budget for the Bus for the Handicapped and the report of the City Treasurer is attached as Schedule "F" (4 Pages).

(See By-Law No. 4 - No. 79-131)

CARRIED AS AMENDED

(See following motions of amendment)

REPORTS (Cont'd)

Report No. 71 - Chief Administrative Officer

7. Cont'd

Moved by Ald. Hawkins,
Seconded by Ald. Bishop,

That the proposed agreement with the Kingston Bus for the Handicapped be amended to delete from the second sentence of Section 2.0 the word, "Municipality" and to substitute in lieu thereof the words, "Police Department".

CARRIED 9:6

Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That the proposed agreement with the Kingston Bus for the Handicapped be amended to delete from Section 2.P the last sentence which reads as follows:

"The nature of the discipline shall be governed by the severity of the problem and determined by discussions between the Operator and Municipality, provided that, should the Operator and the Municipality be unable to reach agreement as to the nature of the discipline, the Municipality shall determine such discipline."

LOST 5:10

Moved by Ald. Hawkins,
Seconded by Ald. Gerretsen,

That the proposed agreement with the Kingston Bus for the Handicapped be amended to delete from the first sentence of Section 3.B the word, "Establish" and substitute in lieu thereof the word, "Confirm".

CARRIED

Moved by Ald. Hawkins,
Seconded by Ald. Gerretsen,

That Section 3.D of the proposed agreement with the Kingston Bus for the Handicapped, which reads as follows, be deleted:

"Provide for such advertising and publicity as the Municipality may see fit at the Municipality's expense".

CARRIED

Moved by Ald. Knapp,
Seconded by Ald. Hawkins,

That the entering into of an agreement with the Kingston Bus for the Handicapped, pursuant to the Public Transportation and Highway Improvement Act for allocation of subsidy funds for transportation for the physically disabled be subject to the concurrence of the Public Utilities Committee and a report on said concurrence be made at the next meeting of City Council.

CARRIED

REPORTS (Cont'd)

Report No. 71 - Chief Administrative Officer

Ald. Knapp withdrew at 10:00 p.m. and returned at 10:02 p.m.
Ald. Clark withdrew at 10:05 p.m.
Ald. Timmins withdrew at 10:05 p.m.
Ald. Miller withdrew at 10:06 p.m.

8. As, as recommended by the Commissioner of Industries and Airport Administrator, the proposal of DeLCan-Wallace, Airport Planning and Engineering Consultants, dated February 7, 1979, to prepare a Master Plan for development of the Kingston Airport at a lump sum price of \$21,600. be accepted, being the lowest quotation received, and it being noted that sufficient funds have been provided in the 1979 airport budget for this purpose.

(A copy of the report of the Commissioner of Industries and Airport Administrator is attached as Schedule "G" (2 Pages).

CARRIED

Ald. Clark returned at 10:09 p.m.
Ald. Miller returned at 10:12 p.m.
Ald. Gorham withdrew at 10:20 p.m.
Ald. Clements withdrew at 10:15 p.m.
Ald. Tarnowecky withdrew at 10:18 p.m. and returned at 10:19 p.m.

9. That, as recommended by the Director of Purchasing and reviewed by the City Treasurer, the Tender for Automotive Equipment Tires be awarded to Goodyear Truck Centre at the rates set out in the Recapitulation of Tender No. 79-26.

(A copy of the Recapitulation of Tender No. 79-26, report of the Director of Purchasing and of the City Treasurer is attached as Schedule "H" (8 Pages).

CARRIED

Ald. Knapp opposed
Ald. Hawkins opposed

10. That, as recommended by the Administrator, Traffic, Streets and Parking, By-Law No. 495 (Parking Meters) be amended to provide the following:

Delete from Schedule 4 (15-minute parking areas):

Queen St. - South Side, from 130 feet east of Division St.
to 239 feet east of Division Street
(By-Law No. 4264-1963)

Add to Schedule 4: (15 minute parking areas):

Queen St. - South Side, (2 meters) on the east side
of the island at Division Street.

Add to Schedule 5: (one-hour parking areas)

Queen St. - South Side from 90 feet east of Division Street
to 247 feet east of Division St.

REPORTS (Cont'd)

Report No. 71 - Chief Administrative Officer

10. (cont'd).

(A copy of the report of the Administrator, Traffic, Streets and Parking is attached as Schedule "I" (2 Pages).
Approval was given by Council at the meeting of June 11th 1979 to notify the property owners involved. No letters were received.)
(See By-Law No. 1: No. 79-128)

CARRIED

11. That, as recommended by the Administrator of Traffic, Streets and Parking, the tender of Limestone Demolition to purchase and remove the buildings located at 480 and 490 Macdonnell Street, at a total sale price of \$400.00 be accepted, being the highest tender received.

(A copy of the report of the Administrator Traffic, Streets and Parking is attached as Schedule "J" (2 Pages).

CARRIED

12. That, as recommended by the Administrator of Traffic, Streets and Parking, a by-law be presented to Council to authorize the closing of Ontario Street from Brock Street to Market Street (in front of City Hall) to vehicular traffic on Friday, June 29th 1979 from 7:00 p.m. to 1:00 a.m., June 30th 1979. to permit a multicultural presentation and street dance.

(A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "L" (1 Page).

(See By-Law No. 5 - No. 79-132)

CARRIED

13. That, notwithstanding the provisions of By-Law No. 10, Mr. Russell Rosamond be permitted to pave the driveway at 239 Helen Street to a width of 17 feet.

(A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "M" (3 Pages).

CARRIED

14. That, in accordance with the provisions of By-Law No. 79-26, "A By-Law Respecting Smoking in the City of Kingston", the west half of the reception area on the second floor, south wing, of City Hall, be and is hereby designated as a "SMOKING" area, being less than 50% of the reception floor area.

*CARRIED**Ald. Webb opposed**Ald. Tarnowecky opposed*

Ald. Gorham returned at 10:29 p.m.

Ald. Timmins returned at 10:29 p.m.

REPORTS (Cont'd)

Report No. 71 - Chief Administrative Officer

15. That, as recommended by the Director of Purchasing, and reviewed by the City Treasurer, the tender for Petroleum Products be awarded as set forth on Page 4 of the Recapitulation of Tender No. 79-25.

(A copy of the recapitulation of Tender No. 79-25, and a memorandum from the Director of Purchasing is attached as Schedule "N" (6 Pages).

CARRIED

16. That, as recommended by the Administrator, Traffic, Parking and Streets, a by-law be presented to Council to amend By-Law No. 24 (Traffic) to provide that parking be prohibited on the west side of Montreal Street from John Street 100 feet southerly to the Kentucky Fried Chicken entrance; and that 15 minute parking be established from 30 feet north of Markland St. northerly 55 feet.

(See copy of the report of the Administrator, Traffic, Parking and Streets attached hereto as Schedule "O" (2 Pages).

(See By-Law No. 2 : No. 79-129)

LOST 7:8

Ald. Bishop withdrew at 10:35 p.m. and returned at 10:36 p.m.
Ald. McArthur withdrew at 10:35 p.m.

17. That, as recommended by the Administrator, Traffic, Parking and Streets, a by-law be presented to Council to amend By-Law No. 24 (Traffic) to provide that a stop sign be installed on Folger Street at its intersection with MacCauley Street.

(See copy of the report of the Administrator, Traffic, Parking and Streets attached hereto as Schedule "P" (1 Page).

(See By-Law No. 2: No. 79-129).

CARRIED

18. That, as recommended by the Administrator, Traffic, Parking and Streets, a by-law be presented to Council to amend By-Law 24 (Traffic) to provide that a stop sign be installed on Smith Street at its intersection with South Bartlett Street.

(See copy of the report of the Administrator, Traffic, Parking and Streets attached hereto as Schedule "Q" (1 Page).

(See By-Law No. 2: No. 79-129)

CARRIED

Ald. McArthur returned at 10:38 p.m.
Ald. Timmins withdrew at 10:40 p.m.
Ald. Lampropoulos withdrew at 10:40 p.m. and returned at 10:45 p.m.
Ald. Bishop withdrew at 10:45 p.m. and returned at 10:50 p.m.

REPORTS (Cont'd)

Report No. 71 - Chief Administrative Officer

19. That a by-law be presented to Council to appoint Mrs. Marion Houghton Acting Clerk *pro tempore* of the City of Kingston for the period from Saturday, July 7 to Sunday, July 22, 1979, inclusive, while the City Clerk is on vacation.

(See By-Law No. 6 - No. 79-133)

CARRIED

20. That as recommended by the Board of Management for the Grand Theatre, their resolution, as detailed on attached Schedule "R", (1 Page), be approved.

CARRIED 11:4

21. WHEREAS the following Notice of Motion was submitted at Council on June 4th and a report has been received from the Traffic Streets and Parking Administrator, attached hereto as Schedule "S" recommending that the Notice of Motion be now considered by Council:

That the Traffic, Streets and Parking Administrator present a report two months after the Gorsline Lot becomes operational on:

- 1) the implications of taking parking off Princess Street at rush hours; and
- 2) the parking situation between Division Street and the old traffic circle to include parking provided on side streets off Princess Street and the present and future need for parking lots in this area.

CARRIED

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That, in accordance with Rule 16 of By-Law No. 1, permission be given to continue the City Council Meeting until completion of the agenda.

CARRIED

Ald. Knapp opposed

Ald. Clements returned at 11:00 p.m.

Ald. Webb withdrew at 11:00 p.m.

22. That a by-law be presented to Council to amend By-Law 24 (Traffic) to provide that parking regulations be established on Albert St. south of Princess Street as follows:

- a) East Side - That parking meters be installed from 120 feet south of Princess St. southerly 120 feet (2-3 meters) to the south limit of 465 Albert St.
- b) West Side - That the fifteen minute parking zone on Albert Street remain, and that a two hour time limit be established on parking from 103 feet south of Princess St. southerly 204 feet to the south limit of 470 Albert Street from 8 a.m. to 6 p.m.

(A copy of the report of the Traffic, Streets and Parking Administrator is attached as Schedule "T" (2 Pages).

(See By-Law No. 2 - No. 79-129)

CARRIED

REPORTS (Cont'd)

Report No. 71 - Chief Administrative Officer

23. That, as advised by the Ontario Municipal Board Chairman at the Hearing on By-Law No. 9283, "A By-Law to Amend By-Law No. 3077, 'A Restricted Area (Zoning) By-Law of the City of Kingston'. (Approximately 10.4 Acre Parcel of Land Located North of Union Street, South of William Street, East and West Sides of Ontario Street; Areas to be made subject to Development Control Pursuant to Section 35A of The Planning Act)", and as recommended by the City Solicitor, in Schedule "U" (5 pages) attached hereto, the execution of an agreement with 361029 Ontario Limited, in form attached as part of Schedule "U" hereto, be authorized.

*CARRIED**Ald. Miller opposed*

Ald. Miller declared a conflict of interest in Clause 24 as she is an employee of Queen's University and noted that she did not comment during the delegation period.

24. WHEREAS Queen's Crescent has been closed for almost a year without any traffic flow problems;

AND WHEREAS improved safety has resulted for the high number of pedestrians using Queen's Crescent;

AND WHEREAS Queen's Crescent is not required for movement of external traffic other than Queen's University traffic;

AND WHEREAS Queen's University has requested that Queen's Crescent remain closed on the basis of Plan 63-L065;

THEREFORE BE IT RESOLVED that as recommended by the Administrator, Traffic, Streets and Parking, Council not repeal by-law 9034, and the 214 foot section of Queen's Crescent, about half way between University Avenue and Albert Street, remain closed on the basis of Plan 63-L065, which shows the proposed landscaping at the centre of the block to prevent through traffic and restricted areas at University Avenue and Albert Street to discourage traffic from entering the area unnecessarily.

(See copy of the report of the Administrator, Traffic, Streets and Parking, attached hereto as Schedule "V" (17 Pages).

*LOST 6:7**See Recorded Vote**Ald. Miller abstained from voting*

Ald. Gerretsen requested a recorded vote on Clause 24, Report No. 71, which was as follows:

YEAS: Mayor Keyes, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Knapp, Ald. Lampropoulos (6)

NAYS: Ald. Bishop, Ald. Gorham, Ald. Hawkins, Ald. Matthews, Ald. McArthur, Ald. Tarnowicky, Ald. Webb (7)

See Page 806 for Consideration of Motion to Repeal By-Law No. 9034.

REPORTS (Cont'd)

Report No. 71 - Chief Administrative Officer

25. That, as recommended by the Traffic, Streets and Parking Administrator, letters be sent to the property owners for comment or objection to the proposed parking regulations as follows in the vicinity of 541 College Street:

- a) Parking be prohibited on both sides of College Street from Franklin Place to the south limit of 541 College Street, from 10-11 a.m. and 2-3 p.m., Monday to Friday inclusive.

(See copy of the report of the Administrator, Traffic, Streets and Parking, attached hereto as Schedule "W" (2 Pages).

CARRIED

26. That, as recommended by the Traffic, Streets and Parking Administrator, a by-law be presented to Council to amend By-Law 24 (Traffic) to prohibit parking on the east side of Montreal Street from Russell Street to Railway Streets, and further,

That the proposed access as shown on Plans B843-4 and B843-5, be approved.

(A copy of the report of the Administrator is attached as Schedule "X", 1 Page). (See By-Law 2 - No. 79-129)

CARRIED

Ald. Bishop opposed

27. That, as recommended by the Traffic, Streets and Parking Administrator, the existing and future land use, population and employment data for the City of Kingston, as contained in the Report prepared by Professors Gerald Hodge, CIP and Eric Thrift, F.C.I.P., be accepted.

(Note: A copy of the report was distributed to the members of Council with the agenda.

See the report from the Administrator attached as Schedule "Y", 2 Pages).

CARRIED AS AMENDED

See following motion of amendment

Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That Clause 27, Report No. 71, be amended to delete the word, "date" in the second line and substitute the word, "data" and delete the word, "approved" in the fourth line and substitute the word, "accepted".

CARRIED

Respectfully submitted,

R. Hamilton,
Chief Administrative Officer.

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 14th, 1979.

SUBJECT

Report of the Inquiry Officer, Bogart W. Trumpour, in the Matter of an Application by the Corporation of the City of Kingston for approval to expropriate land on the south side of Queen Street, described as Part I upon a reference plan. The report has been distributed and the last page containing his decision is attached hereto.

ORIGIN

The Expropriation Act, R.S.O. 1970, Chapter 154

- (a) Section 8(1) requires the approving authority (City Council) to consider the report of the Inquiry Officer and shall approve or not approve the proposed expropriation or approve the proposed expropriation with such modifications as the approving authority considers proper.
- (b) Section 8(2) provides that the approving authority (City Council) shall give written reasons for its decision and shall cause its decision and the reasons therefor to be served upon all the parties within ninety days after the date upon which the report of the Inquiry Officer is received by the approving authority (June 11, 1979 - Communication No. 328).
- (c) Section 8(1) provides that where a proposed expropriation has been approved under the Act, the expropriating authority shall register, within three months after the granting of the approval, in the Registry Office an expropriation plan, at which time the land will vest in the expropriating authority.

ANALYSIS(a) Section 8(1) - Consideration of Report

The Inquiry Officer has recommended that the taking of all the lands in question is fair, sound and reasonably necessary, subject to the conditions offered in my submission at the Inquiry. Conditions 1 and 3 are acceptable as recommended. Conditions 2 and 4 which I submitted at the Inquiry in regard to the provision of parking were similar to the conditions in the agreement between Sedmar Company Limited and the City of Kingston, that the parking spaces "would not be designated parking spaces" (page 11 of the Inquiry Officer's Report) but would be "the same parking concern applied which was solved by an agreement between Sedmar Company and the City of Kingston" (page 7). Therefore, it is suggested that condition 2 of the recommendation be clarified as follows:

That provision of a rear door access to the parking lot from Empire Warehouse Limited building be subject to the market value rent of a monthly parking space.

At the present time, there is no rear access door.

Likewise, that condition 4 of the recommendation be clarified as follows:

That the City permit the tenants and the owners, their successors and assigns, to have the right to rent up to a maximum of 12 monthly parking spaces on the new City-owned and operated parking lot (of which this land forms a part) at the market value rent, it being understood that the parking spaces shall not be designated or reserved, in accordance with the City's parking regulations; and further, that if this parking lot is filled, the holders of the monthly parking stickers may park at other municipal parking lots where monthly parking is permitted. Substitutionally, the tenants and owners, their successors and assigns shall be allowed to rent up to 12 monthly parking spaces on the Byron parking lot at market value rent and in accordance with the City's monthly parking regulations. If this lot is full, any of the aforementioned 12 parking permits may park at other municipal parking lots where monthly parking is permitted. It is understood that the total number of parking permits for the new Queen Street parking lot and the Byron parking lot shall not exceed 12 permits.

(b) Section 8(2) - Reasons for Expropriation

- (i) The stability, economy and general prosperity of the City depend on the viability of our downtown core. In turn, the viability of our downtown core depends a great deal on the availability of convenient parking.
- (ii) The western half of the downtown core presently contains two parking lots and a parking garage. The Chown parking lot and the Robert Bruce parking garage are operating at capacity most of the time and several motorists are turned away each day. Another parking lot known as the Byron parking lot, located on the north side of Queen Street and west of Montreal Street, also operates at capacity several times a week even though it is not a conveniently located parking lot. The proposed parking lot to be located on the south side of Queen Street between Bagot St. and Montreal St. will help reduce the shortage of convenient parking in this half of the downtown core.
- (iii) The significant factor of this site is the type of parking that will be permitted. At the present time, 22 monthly parkers for employees and a few tenants are permitted on the property of Empire Warehouse, whereas the 80 space parking lot will be able to accommodate 400 short term parkers daily, and the proposed first stage parking garage will have 300 spaces and will be able to accommodate 1500 short term parkers daily. The ultimate 500 space garage will be able to accommodate 2500 parkers daily. Although the City will not permit any public monthly parkers, the City is willing to permit Empire Warehouse Limited to rent monthly parking stickers to accommodate their tenants in the adjacent building on Montreal Street.

- (iv) Another significant factor of this site is its proximity to Princess Street. Kingston and other cities of similar size have learned that parking for shoppers must be located within on block of the main street; otherwise, shoppers will not use the parking lots.
- (v) The City is presently embarking on revitalization of the downtown area, including a proposed semi-mall on Princess Street between Montreal St. and Wellington Street. If the semi-mall is implemented, 41 parking spaces would be removed from Princess Street. If other developments take place, additional parking will be required. The City does not require individual developments to provide their own parking. It is neither economical nor practical for individual developments in the downtown core to provide their own parking needs. The City, through its continuing parking program, accommodates the collective needs of the individual developments.
- (vi) The parking demand will also be increased due to the necessity to prohibit parking, at least during the peak hours, to handle the increased traffic from future developments such as the OHIP building, the Place d'Armes project, Marina City and other developments. The only way to increase capacity of the street system in the downtown area is the removal of curb parking. It is just impractical and uneconomical to attempt to widen downtown streets due to commercial developments abutting the street line.
- (vii) As to the question of soundness of the proposed expropriation, the Inquiry Officer is satisfied that the City has taken into consideration the proper factors in locating this parking facility, namely, the cost factor in expropriating prime vacant land and not built-up land, the absence of dislocation of business and residents, the location in the centre of a block but not in the highest value area on Princess Street, the provision of rear access and commercial walkway to Princess Street.
- (viii) The Inquiry Officer accepts without qualification the evidence that it is not feasible to construct a parking garage upon a frontage of less than 165 feet (which requires all of the Empire property) when some communities place a minimum figure of 200 feet or more on the size of such garages.

ALTERNATIVES

Due to the unfeasibility of accepting a smaller site than required for a feasible parking lot and future parking garage, there is really no alternative to consider. Furthermore, one of the conditions of the Sedmar agreement provides Sedmar with the option to repurchase from the City the land sold by it to the City for a parking lot, at the same price as the purchase price, within one year from December 18th, 1978, if the City does not proceed with the entire site.

EXISTING POLICY

- (a) Conforms with City policy (Official Plan) that the City will provide municipal parking lots in the downtown area.
- (b) Conforms with City policy that spaces on monthly off-street parking facilities shall not be reserved except at doorways to abutting property.

FINANCIAL
CONSIDERATION

Money has been provided in the parking lot construction by-law approved by the O.M.B. and in the reserve fund. Delay of the project has cost the City about \$8,000. The parking lot will now open in the fall instead of the spring of 1979 as originally scheduled.

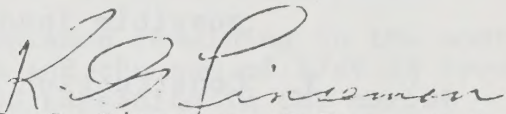
RECOMMENDATION

That the recommendation of the Inquiry Officer be approved, subject to the clarifications and for the above stated reasons; and

That the proceedings of expropriation initiated by Council be completed by presenting a by-law to Council to authorize the expropriation of the property of Empire Warehouse (Kingston) Limited, on the south side of Queen Street between Montreal and Bagot Streets, described as all of Lot 303, Original Survey; and

That the Expropriation Plan be registered in the Registry Office, at which time the land will vest in the City; and

That Empire Warehouse Limited also be advised that the City is willing to negotiate at any time if it so wishes.


K. G. Linseman, P.Eng., M.Sc.,
Administrator.

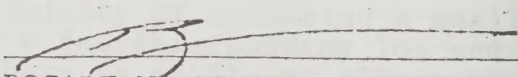
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- 23 -

I therefore recommend to the Approving Authority that the taking of all of the lands in question is fair, sound and reasonably necessary to the objectives of the Expropriating Authority, upon the following conditions offered in the submission of the City of Kingston at the Inquiry:

1. Provision of a 40-foot long loading zone on Montreal Street in front of the commercial premises of Empire Warehouses Limited.
2. Provision of rear-door access to the parking lot from such commercial premises and the leaving of one parking space in front of such entrance for possible loading or access.
3. Construction of any parking garage at least 4 feet from the new property limit.
4. Provision of 12 parking spaces in the facility (or substitutionally in another parking facility not more than one block away) for the commercial and residential tenants of Empire Warehouses Limited.

With respect to costs of the Inquiry, I recommend the payment of the sum of \$200.00 to Empire Warehouses Limited.


BOGART-W. TRUMPOUR
Inquiry Officer

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

DATE: June 20th, 1979.

SUBJECT Change Order No. 15 - Renovations to Grand Theatre

At a meeting of the Grand Theatre Board held on Tuesday, June 19th, 1979, the following resolution was passed:

"That it be recommended to Council that Change Order No. 15 (attached hereto) as submitted by Smith, Mill and Ross, Architects, in the amount of \$2,082.86, be approved as follows:

1. Hand dig electrical trench	\$ 558.95
2. Remove wallpaper and paint	150.15
3. Remove floor tile and replace in Men's Washroom	138.60
4. Cement plaster to front entrance	664.13
5. To cut new trap door in electrical room	115.50
6. To supply and install access door to Men's Washroom	78.02
7. Repair and revamp attic walkway	527.51
8. Eliminate plastic laminate to front entrance	150.00 CREDIT
	<u>\$2,082.86</u>

And further, that the balance remaining in the contingency fund of \$1,333.58 and the sum of \$749.28 from the balance of \$2,678.00 remaining in the carpet allowance, for a total of \$2,082.86, be used to cover the cost of Change Order No. 15."

Lila Kitching

Lila Kitching,
Secretary,
Grand Theatre Board.

:lk

JUN 20 1979

REPORT NO.71

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer
FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator
DATE: June 20, 1979
SUBJECT: Account - Quintal & England Ltd.
- Roof Repair Hangar No. 3
- Our File No. A-4

ORIGIN

Notification by Kingston Tennis World on January 24, 1979, of roof leaks in Hangar No. 3 over tennis and squash courts.

ANALYSIS

Clause 3(a) of the lease agreement between Pesmo Limited (Kingston Tennis World) and the Corporation of the City of Kingston requires the Corporation to effect roof repair within 72 hours, weather permitting, of being notified by Kingston Tennis World of a roof leak.

Three local roofing contractors were contacted with respect to the leaking roof on Hangar No. 3, and Quintal & England Ltd. was the only company to respond within the time limit available. The work was performed January 26, 27, 1979.

ALTERNATIVES

This emergency work is considered remedial or temporary, and an annual roof maintenance program is to be implemented later this year.

EXISTING
POLICY

Repair of Hangar No. 3 roof is arranged immediately upon notification of a leak, in accordance with the above noted lease agreement and to minimize accrued costs of court down-time and damage to roof insulation and ceiling materials.

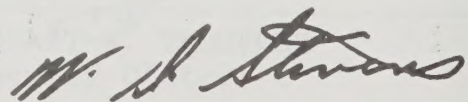
FINANCIAL
CONSIDERATIONS

If repairs to the roof are not effected promptly, in accordance with the lease agreement the City is required to compensate the Lessee for all lost court time and resulting damage.

Funds have been appropriated in the 1979 airport budget for roof maintenance.

RECOMMENDATION

That the account of Quintal & England Ltd. in the amount of \$1,855.42 for roof repair work on Hangar No. 3 (Kingston Tennis World), be paid.



W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

JUN 20 1979



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

June 20, 1979

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

RE: Resolution City of Windsor

In reply to a memorandum dated June 19th from Mr. Healy concerning the above mentioned Resolution, copy attached, I submit herewith the following comments:

The Per Capita grant for policing for those municipalities supplying their own police force is \$10.00 except in the Regional Municipalities who have a regional police force and the per capita grant is \$15.00. There are also a number of municipalities throughout the province who are supplied police service by the province.

I therefore, recommend that the Resolution of the City of Waterloo be endorsed.

B.G. Cousens

BGC/jt
Encl.

JUN 20 1979



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

June 20, 1979

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

RE: Resolution Regional Municipality of York

In reply to a memorandum dated June 19th from Mr. Healy requesting my recommendation on the above noted Resolution, a copy of which is attached, I submit herewith the following comments.

It has been the policy of A.M.O. for a number of years that provincial grants should be deconditionalized. A considerable amount of money and time is wasted by both the province and municipalities in completing and auditing complicated subsidy claim forms. Some of these subsidies are very insignificant when we compare this with the total budget of the municipality.

I therefore recommend that the attached Resolution be endorsed.

BGC are

BGC/jt
Encl.

June 13, 1979

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

RE: Subsidy - Kingston Bus for the Handicapped

ORIGIN: Ministry of Transportation and Communications
advising of policy of the Province to support
transportation for the physically disabled.

ANALYSIS: Funding by the Province for transportation for
the physically disabled is not limited to those
municipalities with existing conventional public
transportation; funding is available to any
municipality wishing to provide this type of
service. Funding must however be requested
directly by a municipality for services operated
by or on behalf of the municipality, or under
an agreement between the municipality and a
person, firm or corporation.

FINANCIAL
CONSIDERATION: City Council approved a 1979 grant of \$30,000.00
for The Kingston Bus for the Handicapped. Provincial
funding is available at the rate of 50% of the
combined capital and operating expenditure up to a
certain ceiling calculated on a per capita basis.
Kingston's ceiling is \$1.45 per capita or \$88,577.
The ceiling is pro-rated for the six months of
operation in 1979 in accordance with the July 1,
1979 commencement of this program. Kingston Bus
for the Handicapped have an expenditure budget
for 1979 of \$73,000. For the year 1979 the City
would receive a subsidy of \$18,250. based on a
50% subsidy of expenditures after July 1st.

RECOMMENDATION: That a by-law be presented to Council to authorize
the execution of an agreement with The Kingston
Bus for the Handicapped and that the agreement
(copy attached herewith) be forwarded to the
Ministry of Transportation and Communications for
their approval, further, pursuant to the Public
Transportation & Highway Improvement Act, the
Council of the Corporation of the City of Kingston
hereby requests an allocation of subsidy funds for
transportation for the physically disabled in the
amount of \$18,250.00 for combined capital and
operating assistance programme.

Note: The proposed agreement is based on a Provincial
draft which has been approved by the Kingston Bus
for the Handicapped.

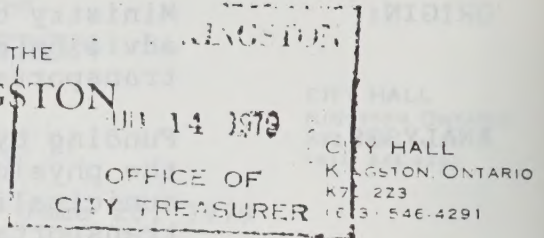
1346

BGC/jt
Encl.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Solicitor
Our Ref. No. L-16



M E M O R A N D U M

TO: Mr. Bernard G. Cousens,
City Treasurer

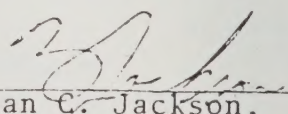
FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: June 14, 1979

RE: Proposed Agreement between the City and the
Kingston Bus for the Handicapped

The Provincial Government form which you have shown to me appears to be in order and the indemnification clause and insurance requirements would sufficiently protect the City's liabilities incurred as a result of the agreement.

I would point out, however, that the right of the City to enter into the agreement may be questionable. Section 64 of The Public Utilities Act, R.S.O. 1970, Chapter 390, indicates that a Council of a municipal corporation that owns, operates or is about to establish...a bus transportation system, may by by-law, provide that the control and management of it be entrusted to a Commission. City Council has passed such a by-law, it being By-Law No. 3923, passed January 7, 1963. In this very short by-law, the control and management of the public transportation system of the City of Kingston is entrusted to the Public Utilities Commission of the City of Kingston. Since the first recital of the proposed agreement indicates the desire to establish a public transportation system for the physically disabled, it may be that either the P.U.C. should replace the City of Kingston as the Party of the First Part, or that the Commission should be asked to concur.


Norman C. Jackson,
City Solicitor

NCJ/ks

43

KINGSTON BUS FOR THE HANDICAPPEDCURRENT ACCOUNTDECEMBER 31, 1978

Bank balance, January 1, 1978

\$776.49

Revenue:

Bus revenue	\$10,174.25	
City of Kingston	24,000.00	
Board of Education	12,939.70	
Ticket Sales	4,515.95	
Term Deposit Interest	<u>100.27</u>	51,730.17
		<u>\$52,506.66</u>

Expenditures:

Drivers' Wages & Benefits	\$41,194.46	
Gas & Oil	9,701.32	
Repairs & Maintenance	5,575.61	
Office	1,395.39	
Telephone	2,459.73	
Workmen's Compensation Board	600.00	
Insurance	1,340.83	
Miscellaneous	<u>177.49</u>	62,444.83

Bank overdraft, December 31, 1978

\$ (9,938.17)

January 31, 1979

KINGSTON BUS FOR THE HANDICAPPED1979 BUDGET

Bank balance, January 1, 1978

\$ (9,938.17)

Revenue:

Bus Revenue	\$20,000.00
City of Kingston	43,000.00
Board of Education	14,000.00
Ticket Sales	6,000.00

\$83,000.00\$73,061.83

Expenditures:

Drivers' Wages & Benefits	\$46,000.00
Gas & Oil	12,000.00
Repairs & Maintenance	8,000.00
Office	1,500.00
Telephone	2,700.00
Workmen's Compensation Board	1,000.00
Insurance	1,600.00
Miscellaneous	200.00

\$73,000.00

Bank balance, December 31, 1979

\$61.83

JUN 20 1979

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer
FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator
DATE: June 20, 1979
SUBJECT: AIRPORT MASTER PLAN, Our File No. A-4

ORIGIN

- a) Included in the Mayor's inaugural address of December 4, 1978, was a request that a plan showing the proposed, staged, prioritized improvements and additions to the airport facility be established.
- b) 1979 airport budget allocation.

ANALYSIS

Following the Mayor's directive and prior to budget preparation, meetings were arranged with DeLCan-Wallace, Airport Planning and Engineering Consultants, Transport Canada and the Ministry of Transportation and Communications to establish the criteria for development of an Airport Master Plan. Following airport budget approval, DeLCan-Wallace prepared and submitted their proposal dated February 7, 1979, for a Master Plan of the Kingston Airport.

At a meeting of the Transportation Committee held April 25, 1979, it was resolved that other engineering companies be invited to submit proposals, and of the four firms contacted, three submissions were received.

		AIRPORT MASTER PLAN CONSULTING FEE
SCHEDULE	ENGINEERING FIRM	
"A"	DeLCan-Wallace, Airport Planning and Engineering Consultants	\$21,600.00
"B"	Neish Owen Rowland & Roy, Architects, Engineers, Planners/PlanAir Consultants Ltd., Aviation & Air Transportation Consultants <i>* recommended the City budget for a 10% contingency allowance on this total</i>	\$37,000.00*
"C"	Duncan Hopper & Associates Limited, Consulting Engineers/ IBI Group, Associate Engineers <i>* out-of-pocket expenses and report preparation costs</i>	\$39,795.00* \$5,900.00

EXISTING
POLICY

The lowest tender is accepted, unless there is an economic advantage to do otherwise.

FINANCIAL
CONSIDERATIONS

Subsidy approval has been made to and received from the Minister of Transportation and Communications for preparation of an Airport Master Plan at an estimated cost of \$22,000.00,

SUBJECT: AIRPORT MASTER PLAN continued

FINANCIAL CONSIDERATIONS

which is eligible for 80% subsidy of \$17,280.00, City's share \$4,320.00; it being noted that the City's share is included in the 1979 current airport budget.

In a review of each submission, it is noted that the basic criteria for preparing a Master Plan will be used. However, the extent of detail to be provided in the interim and final submissions is reflected in the price differential. If funds available were not a limiting factor, it would be desirable to select Schedule "C".

RECOMMENDATION

That the proposal of DeLCan-Wallace, Airport Planning and Engineering Consultants, dated February 7, 1979, to prepare a Master Plan for development of the Kingston Airport at a lump sum price of \$21,600.00 be accepted, being the lowest quotation received, and it being noted that sufficient funds have been provided in the 1979 airport budget for this purpose.

W. H. Stevens

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

Attachments

for

AUTOMOTIVE EQUIPMENT TIRES

DATE OF CALLING: May 16, 1979
DATE OF CLOSING: May 30, 1979
NO. OF TENDERS RECEIVED: 4

PERIOD OF USE: One Year
METHOD OF INVITATION: Public & Individual Notices
NO. OF INVITATIONS SENT: 12

DESCRIPTION		GOODYEAR TRUCK CENTRE		ATTERSLEY TIRE SERVICE		INTER CITY BANDAG LIMITED		UNIROYAL CENTRES	
NYLON TRUCK TIRES									
TUBE TYPE									
Size	P.R.	Highway Tr.	Snow Tr.	Highway Tr.	Snow Tr.	Highway Tr.	Snow Tr.	Highway Tr.	Snow Tr.
6.50x16	C 6	42.32	46.64	48.58	53.51	44.19	46.24	35.59	39.37
7.75x15	B 4			39.44	47.81	39.44	47.81	36.22	39.69
7.00x16	C 6	51.32	56.84	54.53	60.39	49.49	52.60	40.32	44.41
7.00x14	C 6			67.07		67.07		27.28	29.98
7.50x16	C 6	51.76	58.16	59.50	73.27	59.50	73.27	43.78	48.82
	D 8	55.80	61.92	64.39	71.49	56.18	60.09	47.25	52.29
	E 10	69.24	76.04	73.57	80.79	73.57	80.79	53.86	59.22
7.50x20	E 10	86.48	102.04	98.94	108.80	86.79	108.80	81.27	91.03
8.25x20	E 10	101.72	121.12	116.92	128.69	106.80	119.19	94.18	108.04
9.00x20	E 10	122.72	145.88	140.97	155.00	125.02	135.28	113.71	130.41
10.00x20	F 12	147.72	176.00	170.00	187.00	149.34	157.22	144.27	164.87
8.00x16	C 6	59.36	65.16	63.07	69.23	56.60	60.81	46.30	50.71
10.00x15	G 14	214.40		227.80		227.80		164.40	
GRADER									
TUBE TYPE									
Size	P.R.								
14.00x20	F 12			481.95		481.95		567.00	
14.00x24	F 12			306.85		292.63		373.59	
RADIAL STEEL BELTED POLYESTER TUBELESS AUTOMOBILE TIRES									
TUBELESS									
Size	P.R.								
HR78x15	B 4	65.48	83.36	77.56	88.57	62.08	68.70	55.79	61.64

DESCRIPTION	GOODYEAR TRUCK CENTRE		ATTERSLEY TIRE SERVICE		INTER CITY BANDAG LIMITED		UNIROYAL CENTRES	
	Standard Tr.	Snow Tr.	Standard Tr.	Snow Tr.	Standard Tr.	Snow Tr.	Standard Tr.	Snow Tr.
BIAS PLY POLYESTER TUBELESS AUTOMOBILE TIRES								
<u>TUBELESS</u>								
Size P.R.								
G78x14 B 4	32.44	38.32	43.90	40.72	34.05	38.29	25.20	28.16
F78x14 B 4	31.44	34.12	40.38	36.25	32.14	36.04	26.83	29.99
G78x14 B 4			43.90	40.72	34.05	38.29	28.54	31.72
H78x14 B 4	41.12	41.00	46.92	43.56	37.36	42.74	31.84	33.45
F78x15 B 4	37.12		39.44	47.81	39.44	47.81	28.70	
G78x15 B 4	32.44	38.32	43.90	40.72	33.99	38.34	28.70	31.87
4.50x16 C 6	32.00		34.00		34.00		40.00	
6.00x16 C 6			41.74		41.74		29.30	
6.50x16 B 4								
C 6			48.58	53.51	44.19	46.24	35.59	39.37
TRUCK TUBES								
Size								
6.50x16	7.28		8.71		8.71		5.39	
7.00x14			6.50		6.50		4.69	
7.00x16	8.52		9.05		9.05		7.50	
7.50x16	9.00		9.56		9.56		8.19	
8.00x16	9.00		9.56		9.56		8.88	
7.50x20	11.44		12.16		12.16		9.51	
8.25x20	13.16		13.98		13.98		11.59	
9.00x20	14.72		15.64		15.64		12.98	
10.00x20	16.20		17.21		17.21		14.36	
10.00x15	17.00		18.96		18.96		15.05	
GRADER TUBES								
Size								
13/14.00x20			43.05		43.05		28.98	
14.00x24	33.84		27.67		27.67		34.65	

DESCRIPTION	GOODYEAR TRUCK CENTRE	ATTERSLEY TIRE SERVICE	INTER CITY BANDAG LIMITED	UNIROYAL CENTRES
<u>INDUSTRIAL & FARM TIRES</u>				
<u>Size</u>				
16.9x28 6 Sure Grip	328.00	238.00	238.00	249.81
5.00x15 4	21.40	22.75	22.74	28.98
4.00x12 4	19.40	20.61	20.61	20.79
4.00x8 4	14.32	18.53	18.53	20.25
7.50x15 6 Smooth Compactor	80.88	85.94	85.94	176.50
<u>INDUSTRIAL & FARM TUBES</u>				
<u>Size</u>				
16.9x28	26.32	27.97	27.97	26.63
5.00x15	5.84	6.21	6.21	16.54
4.00x12	5.44	5.78	5.78	4.44
7.50x15	9.36	9.95	9.95	7.50
4.00x8	5.44	5.78	5.78	4.56

REMARKS

The herein tabulation is a summary of all tenders received in response to the subject invitation for automotive equipment tires. The tender forms a pro forma contract establishing a source of supply for the period from July 1st, 1979 to June 30th, 1980. While the prices tendered by Uniroyal Centres are generally lower the company has qualified its bid by the application of additional charges for all service calls, including mounting charges for purchase replacement, thereby offsetting any perceptible saving.

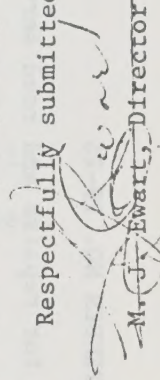
The scope of the bid covers most sizes associated with present municipal equipment. The tender further provides for the establishment of firm prices for tire requirements for such additional fleet equipment as may be subsequently acquired. The price for such unspecified requirements would, under the following recommendation, be based on the now current price listing less the application of 20% discount.

All prices are to remain firm for the period of the tender.

RECOMMENDATION

It is recommended for consideration that the tender of GOODYEAR TRUCK CENTRE be accepted, being the most acceptable tender received.

Respectfully submitted,


M. J. Ewart, Director of Purchasing.

...../page four attached

SUMMARY OF TENDER NO. 79-26

PAGE FOUR

S. - If the foregoing recommendation is concurred in, the following rates for repairs and road service will be applicable and are setout for accounts verification purposes.

(a) Service within City limits, including Norman Rogers Airport 8 a.m. to 6 p.m. Night service calls within City limits, including Norman Rogers Airport 6 p.m. to 8 a.m.	\$12.00 18.00
(b) Service outside City limits 8 a.m. to 6 p.m. Night service calls, outside City limits 6 p.m. to 8 a.m.	18.00 22.00
(c) Passenger Tires - Repair mounted flat	5.00
- Repair loose flat	4.00
- Balance wheel and tire	3.50
- Install spare	1.00
- Dismount & mount	3.00
(d) Light Truck Tires, 15", 16", 17", 18"	
- Repair mounted flat	6.00
- Repair loose flat	5.00
- Balance wheel and tire	5.00
- Install spare	3.00
- Dismount & mount	4.50
(e) Heavy Trucks, 20", 22"	
- Repair mounted flat	8.00
- Repair loose flat	7.50
- Balance wheel and tire	9.75
- Install spare	6.00
- Dismount & mount	7.00
(f) Heavy Equipment, 20", 24", 28"	
- Repair mounted flat	23.50
- Repair loose flat	20.00
- Install spare	7.00
- Dismount & mount	18.00
(g) Tractor Tires	
- Front - repair mounted flat	5.00
- Rear - repair mounted flat	23.50
- Drain and refill rear tire	10.00
- Dismount & mount	12.00

JUN 20 1979



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

June 20, 1979

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

RE: Tender - Automotive Equipment Tires

In reply to your memorandum of June 14th, 1979,
I attach herewith a copy of a memorandum from Mr. Ewart, wherein
he answered your questions concerning the above mentioned tender.
Basically the way I see it, Uniroyal did not comply with the
tender specification. They qualified their tender by letter
from their solicitor and did not comply with one of the main
requirements that charges would not be made for service calls
Monday to Friday 8 A.M. to 6 P.M.

I also return herewith a summary of the tender
call.

A handwritten signature in cursive script, likely belonging to the City Treasurer, B. G. Cousens.

BGC/jt
Encl.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

Director of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. B.G. Cousens, City Treasurer.
FROM: Mr. M.J. Ewart, Director of Purchasing.
DATE: June 20, 1979.
SUBJECT: Amplification of Tire Tender (#79-26) Tabulation

In response to your memorandum of this date respecting the above subject, please be advised that the application of surcharges setout by "Uniroyal" would automatically augment each price shown in the tabulation by a factor of \$28.75*(minimum) for passenger tires.

The following recapitulation may be verified by supporting documentation.

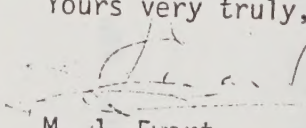
PASSENGER TIRES	
Service Charge 1½ hrs. @13.50	\$20.25
Spare installation	1.50
Dismounting and mounting	3.00
Balancing	4.00
	<u>28.75</u>

Surcharges on truck tires will be considerably higher.

It is of further moment that:

- 1) any drive-in service requires a round trip of twelve miles outside the City;
- 2) Prices are for six months only.

Yours very truly,


M. J. Ewart,
Director of Purchasing.

MJE/jg

att.

TERENCE J. TAIT

BARRISTERS AND SOLICITORS

Terence J. Tait, L.L.B.

Associate:

Shuda J. Kaminer, B.A., M.A., L.L.B.

Northern & Central Gas Building,

520 Gardiners Road,

Kingston, Ontario

K7M 3X9

Telephone 613-389-1804

Uniroyal Centres
780 Gardiners Road
Kingston, Ontario

May 29th, 1979

City Hall
16 Ontario Street
Kingston, Ontario
K7L 2Z3

Attention: City Clerk

Dear Sir:

We are pleased for the opportunity to quote on. Tender No. 79-26
for period July 1, 1979 to June 30, 1980 on Tires and Service.

Attached you will find the following Price Lists.

1. Passenger Tires dated January 2, 1979
2. Truck Tires & Tubes dated May 18, 1979
3. Off-the-road Tires & Tubes dated January 19, 1979.

Industrial & Farm Tire Prices will be firm until December 31, 1979
at which time they will be subject to revision.

All purchases will be Federal Sales Tax included and Provincial Sales
Tax extra.

In reference to service calls, (page 3, paragraph 7, a & b) the
hours for day calls will be 8 am to 5 pm, Monday to Friday, holidays excepted.
Night Service calls will be from 5 pm to 8 am.

Service rates will be subject to revision December 31, 1979.

Balancing & mounting charges will be extra in all cases.

All service calls will be chargeable regardless of timing or
destination (page 3, paragraph 7).

/...2

INVITATION TO TENDER NO. 79-26

PAGE THREE

Continued.....

UNIBOYAL

5. Part number or trade identification for each size must be shown in the column provided.

6. The tenderer shall indicate percentage of discount on current list prices allowed for passenger tires 37 % and/or truck tires 37 and/or tubes 37 %, as embraced by his submission.

7. Preferential consideration will be given to tenders offering to provide 24 HOUR ROAD SERVICE. Please indicate in the space provided below, rate for service:

See covering letter.	(a) Service within City limits, including Norman Rogers Airport 8 a.m. to 6 p.m. Night service calls, within City limits, including Norman Rogers Airport, 6 p.m. to 8 a.m.	\$ 13.50 per minimum 20.00 per 13.50 per
	(b) Service Outside City Limits 8 a.m. to 6 p.m. Night Service Calls, Outside City Limits 6 p.m. to 8 a.m.	20.00 per minimum 13.50 per
	(c) Passenger Tires: Repair Mounted Flat 5.50 bias tire Repair Loose Flat Balance Wheel and Tire Install Spare Dismount & Mount	10.00 radius 5.00 4.00 1.50 3.00
	(d) Light Truck Tires, 15", 16", 17", 18": Repair Mounted Flat Repair Loose Flat Balance Wheel and Tire Install Spare Dismount & Mount	10.00 7.50 6.00 4.00 3.50
	(e) Heavy Trucks, 20", 22": Repair Mounted Flat Repair Loose Flat Balance Wheel and Tire Install Spare Dismount & Mount	12.00 9.00 n/a 5.00 4.00
	(f) Heavy Equipment, 20", 24", 28": Repair Mounted Flat Repair Loose Flat Install Spare Dismount & Mount	per section 1.75 1.25 .60 .60
	(g) Tractor Tires: Front - Repair Mounted Flat Rear - Repair Mounted Flat Drain and Refill Rear Tire Dismount & Mount	9.00 1.75 per section 1.10 .60

It will devolve upon the successful bidder to make service calls as required 8 a.m. - 6 p.m., Monday to Friday, inclusive (with the exception of holidays) to 701 and 717 Division Street and 111 Norman Rogers Drive, at NO CHARGE to the Corporation.

8. The current manufacturer's price list(s) must accompany each bid, and shall apply for any size tire, etc., not shown herein for which a requirement may be subsequently established. Such requirements shall be discounted in accordance with para 6 above. All such requirements being subject to all other terms, conditions, etc., as expressed or implied herein.

TERMS

The Corporation reserves the right to reject any or all bids, specified by the bidder, to accept any item or items in the bid. price shall govern in case of error in extension.

In case of default of the bidder or contractor, the Corporation reserves the right to procure the articles or services from other source and the expense will be charged to the undersigned bidder or contractor.

TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 21st, 1979.

SUBJECT Parking Control - South Side of Queen Street,
East of Division Street - Survey of Property Owners.

ORIGIN Requested by City Council at meeting June 11th, 1979,
when the attached report dated June 7th was considered.

ANALYSIS

1. Eleven letters were sent to households and a business on both sides of Queen Street requesting comments or objections to the conversion of five 15-minute meters to a one hour time limit.
2. No responses were received.

RECOMMENDATION

That a by-law be presented to Council to amend
By-law 495 (Parking Meters) to provide the following:

Delete from Schedule 4 (15-minute parking areas):

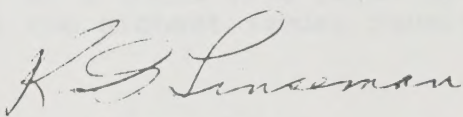
Queen St. - South Side, from 130 feet east of Division
St. to 239 feet east of Division Street
(By-law No. 4264-1963)

Add to Schedule 4:

Queen St. - South Side, (2 meters) on the east side
of the island at Division Street.

Add to Schedule 5: (one-hour parking areas)

Queen St. - South Side, from 90 feet east of Division
Street to 247 feet east of Division St.


K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

MEMO TO: R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

SUBJECT Parking Control - South side of Queen Street,
east of Division Street.

ORIGIN Electrolux Canada at 332 Queen Street has requested
that the fifteen minute parking meters be changed
to one hour time limits.

ANALYSIS a) Existing Parking Regulations:

There are five 15 minute meters at the curb,
plus two 15 minute meters at the island.

b) Study:

The delicatessen has been replaced by an expanded
Electrolux store. However, there is a fish and
chip store at the corner of Division and Queen
Streets as well as a hobby shop across the street,
for which some fifteen minute parking would be
beneficial.

RECOMMENDATION a) That the five 15 minute meters at the curb be
converted to one hour time limit and that the
two 15 minute meters facing the island be
retained, on the south side of Queen Street.

b) That letters be sent to property owners for
comment or objection to the proposed parking
regulations.

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

June 7th, 1979.

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 20th, 1979.

SUBJECT Tender No. 79-30
Sale Subject to Removal or Demolition of Buildings,
480 and 490 Macdonnell Street.

ORIGIN Removal of buildings is required for the expansion
of Gorsline parking lot as provided in the 1979
parking budget.

ANALYSIS

1. One tender only was received to purchase and
remove 480 and 490 Macdonnell Street, for
\$400, by Limestone Demolition.
2. The Scheduled date of commencement is July 1st,
1979, and the scheduled date of completion is
July 31st, 1979.
3. The Director of Purchasing has recommended
acceptance of this tender.

EXISTING
POLICY The highest tender is usually accepted.

FINANCIAL
CONSIDERATION The parking budget included provision of \$500 for
removal of buildings, to be paid by the City. The
tenderer has offered to pay the City \$400 for the
removal of the buildings.

RECOMMENDATION That the tender of Limestone Demolition to purchase
and remove the buildings located at 480 and 490
Macdonnell Street, at a total sale price of \$400,
be accepted, being the highest tender received.

:lk

K. G. Linseman
K. G. Linseman, P.Eng., M.Sc.,
Administrator.

SCHEDULE "J" (Page 2)

JUN 20 1979



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

Director of Purchasing

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. R.J. Hamilton, Chief Administrative Officer

FROM: Mr. M.J. Ewart, Director of Purchasing

DATE: June 19, 1979

RE: Tender No. 79-30
Sale/480 and 490 Macdonnell Street

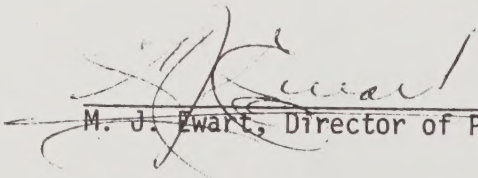
One tender only, as set out hereunder, was received in response to the subject tender invitation for the sale, subject to removal or demolition of buildings located at 480 and 490 Macdonnell Street:

LIMESTONE DEMOLITION - \$400.00 IN TOTAL

The properties in mention were reportedly purchased to enable the enlargement of the Gorsline Parking Lot. Tenders were invited on the basis of sale subject to removal or demolition since this would avoid the cost of demolition, and permit the availment of any intrinsic value of the property.

May authority be received to proceed with the acceptance of this tender.

MJE/jg


M. J. Ewart, Director of Purchasing

cc: Mr. B. G. Cousens

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 21st, 1979.

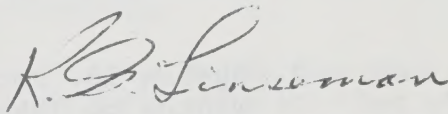
SUBJECT Street Closing - Ontario Street from Brock Street
to Market Street

ORIGIN Request from Canada Week Committee to close
Ontario Street to vehicular traffic on Friday,
June 29th, 1979 from 7:00 p.m. to 1:00 a.m.
June 30th, 1979.

ANALYSIS The Folk Arts Council will hold a multi-cultural
presentation and a street dance during that time
period.

EXISTING
POLICY Permission has been granted by Council to permit
the temporary closing of Ontario Street for other
activities during Canada Week, at different times.

RECOMMENDATION That a by-law be presented to Council to authorize
the closing of Ontario Street from Brock Street to
Market Street (in front of City Hall) to vehicular
traffic on Friday, June 29th, 1979 from 7:00 p.m.
to 1:00 a.m., June 30th, 1979.



K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.
 FROM: K. G. Linseman, P. Eng., M.Sc., Administrator,
 Traffic, Streets and Parking Department.
 DATE: June 21st, 1979.

SUBJECT By-law 10 - Ramps

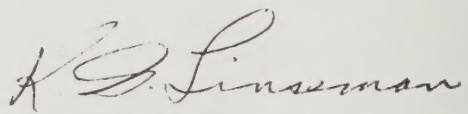
ORIGIN Letter dated June 12th, 1979 (attached) from
 Russell Rosamond, 239 Helen Street, requesting
 permission to widen his existing driveway from
 10 feet to 20 feet.

- ANALYSIS
1. By-law 10 limits width of residential driveways to 30% of the property frontage or 14 feet, whichever is greater.
 2. The property frontage for 239 Helen St. is 43 feet. The property owner is, therefore, entitled to a maximum 14 foot wide driveway.
 3. Some nearby driveways are in the order of 16-17 feet wide.
 4. An on-site meeting with the property owner and Alderman Clements took place on June 20th. The household contains three vehicles, and vandalism to vehicles was displayed. A need for a slightly wider driveway was shown. Mr. Rosamond agreed that a 17 foot wide driveway would be adequate, although he would still prefer 20 feet.

- EXISTING POLICY
1. By-law 10, section 24(2)(1), limits approach widths to 30% of the property frontage or a 14 foot width, whichever is greater.
 2. Council has approved exceptions where cause has been shown.

RECOMMENDATION That, notwithstanding anything to the contrary contained in By-law 10, Mr. Russell Rosamond be permitted to pave his driveway at 239 Helen St. to a width of 17 feet.

:lk


 K. G. Linseman, P.Eng., M.Sc.,
 Administrator.

239 Helen St.,
Kingston, Ont.,
June 12, 1979

City of Kingston,
City Hall,

Attention: K. Linseman

Dear Sir:

Recently I applied for a paving permit through my contractor - Will Mac Paving.

My permit was turned down on the basis that I wished to pave part of the city-owned land on my front lawn beyond the 14 feet allowed.

It is my understanding that the by-law permits a person to pave up to 30% of their frontage of city-owned land or 14 ft., whichever is greater.

I believe however that Council can grant exceptions, and am therefore requesting such an exemption.

My present driveway width is 10 feet. Beside that there is a concrete sidewalk leading to my porch which is 2.5 feet wide. I would like to pave this sidewalk and beyond by 7.5 feet.

I would like this driveway width since our family has 3 cars. My son lives at home and it is difficult, especially in the winter, to move cars continually around, particularly as his working hours and my wife's do not always coincide with mine.

There is also a problem with vandalism. I feel that if my car is parked near the sidewalk, e.g. 3 cars in a line, that the car furthest out is susceptible to being damaged by passers-by, and therefore would like to be able to park the cars closer to the house.

I realize the by-law was instituted to keep people from paving their front lawns, and thereby maintain the nice appearances that come with green lawns. However, as this is only a small increase over the present amount of asphalt and concrete, I do not feel that it would hurt the area. Also, I would like to point out that several other lots in the area have paved driveways that exceed the 14 foot limit.

Thank you for your consideration to this request.

Sincerely,

Russell Rosamond
Russell Rosamond
239 Helen St.

PARK ST.

4' ASPH. CAPPED SW

Existing Radius 15'

HELEN ST.

NOTE: HATCHED AREA REPRESENTS
PROPOSED GENERAL RATE
SIDEWALK RECONSTRUCTION.

EXIST. 4' CONC. SW

HPLS

APPROX. ST. LINE

100'

APPROX. ST. LINE

No. 24

1 STY.

WF

Asphalt Drive

+00 45' C.W. (NEW)

Telephone & utility Pole

SIDEWALK

50'

No. 243

10'

No. 239

35'

APPROX

STREET LINE

42'

No. 235

for

PETROLEUM PRODUCTS

PERIOD OF USE: One Year

METHOD OF INVITATION: Public & Individual Notices

NO. OF INVITATIONS SENT: 18

DATE OF CALLING: May 15, 1979

DATE OF CLOSING: June 4, 1979

NO. OF TENDERS RECEIVED: 8

DESCRIPTION	S. ANGLIN LTD.	ROSEN FUELS	UNITED COOPERATIVES	BUY-RITE	IMPERIAL OIL	TEXACO CANADA	GULF OIL	SHELL CANADA
GROUP "A"								
1,507,500 LITRES GASOLINE:								
No. 1 unleaded				Ø \$0.204 L	Ø 0.19459 L	Ø 0.20107 L	Ø 0.1973 L	Ø 0.2030 L
No. 2 unleaded				Ø 0.196 L	Ø 0.18689 L	Ø 0.19095 L	Ø 0.1893 L	Ø 0.1983 L
No. 2 regular				Ø 0.188 L	Ø 0.17699 L	Ø 0.18106 L	Ø 0.1793 L	Ø 0.1775 L
460,000 LITRES OIL DIESEL FUEL:								
No. 1	0.1952 L	0.2033 L			Ø 0.18779 L	Ø 0.19164 L	Ø 0.1910 L	Ø 0.1974 L
No. 2	0.1952 L	0.1989 L			Ø 0.18779 L	Ø 0.19164 L	Ø 0.1910 L	Ø 0.1904 L
30,000 LITRES OIL ENGINE LUBRICATING *								
Regular / Drums	0.69 L		0.50 L		Ø 0.51 L			Ø 0.4686 L
/ Sealed	0.79 L		0.61 L		Ø 0.61 L			
Trade Brand	Valvoline		Co-op		Mineralube			Golden
Heavy Duty / Bulk	0.54 L							
/ Drums	0.71 L		0.55 L		Ø 0.50 L	Ø 0.59 L	Ø 0.4950 L	Ø 0.4486 L
/ Sealed	0.83 L		0.68 L		Ø 0.60 L	Ø 0.6858 L	Ø 0.6050 L	Ø 0.5486 L
Trade Brand	Valvoline		HD7		Essolube Plus	Ursa SP	Gulf X H D	Rotella
Multi-grade (10-30) / Bulk	0.57 L							
/ Drums	0.79 L		0.59 L		Ø 0.55 L	Ø 0.65 L	Ø 0.535 L	Ø 0.5186 L
/ Sealed	Ø.90 L		0.70 L		Ø 0.65 L	Ø 0.7517 L	Ø 0.645 L	Ø 0.6186 L
Trade Brand	Valvoline							

DESCRIPTION	S. ANGLIN LTD.	UNITED COOPERATIVES	IMPERIAL OIL	TEXACO CANADA	GULF OIL	SHELL CANADA
GROUP "A"						
10,000 LITRES OIL DIESEL ENGINE LUBRICATING *						
Regular / Drums	\$0.84 L	0.55 L	Ø 0.47 L	Ø 0.59 L	Ø 0.487 L	Ø 0.4486 L
/ Sealed	0.95 L	0.73 L	Ø 0.57 L	Ø 0.6858 L	Ø 0.597 L	Ø 0.5486 L
Trade Brand	Valvoline	DMO	Essolube HD	Ursa Super	Gulflube	Rotella
Heavy Duty / Drums	0.79 L	0.55 L	Ø 0.47 L	Ø 0.59 L	Ø 0.495 L	Ø 0.4486 L
/ Sealed	0.90 L	0.73 L	Ø 0.57 L	Ø 0.6858 L	Ø 0.605 L	Ø 0.5486 L
Trade Brand	Valvoline	DMO	Essolube HD	Ursa Super	Gulf XHD	Rotella
Heavy Duty Series III / Drum	0.78 L	0.75 L	Ø 0.66 L	Ø 0.59 L	Ø 0.587 L	Ø 0.5286 L
Trade Brand	Valvoline	DMO	10W30 Essolube	Ursa Super	Gulf Super	Rimula
900 KG OIL TRANSMISSION LUBRICATING *						
All Purpose / 55 KG	1.30 L	0.65 L	Ø 0.80 L	Ø 0.73 L	Ø 0.80 L	Ø 0.5486 L
/ 180 KG	1.31 L	0.54 L	Ø 0.69 L	Ø 0.64 L	Ø 0.71 L	Ø 0.4586 L
E.P. or Hypoid All Grades / 55 KG	1.60 L	0.81 L	Ø 0.85 L	Ø 0.73 L	Ø 0.80 L	Ø 0.7186 L
Trade Brand	1.54 L	0.71 L	Ø 0.83 L	Ø 0.64 L	Ø 0.71 L	Ø 0.6286 L
	Valvoline	GL5	GX 80W/90	Multigear	Gearlube	Spirax HD
10,000 LITRES HYDRAULIC FLUID / Drums *	0.63 L	0.62 L	Ø 0.44 L	Ø 0.46 L	Ø 0.398 L	Ø 0.4600 L
Trade Brand	Valvoline		Polar 32	Rando HD	Harmony 47	Tellus
2,000 LITRES TRANSMISSION FLUID TYPE A* (L)	0.90 L	0.80 L	Ø 0.79 L	Ø 0.67 L	Ø 0.82 L	Ø 0.9086 L
Trade Brand	Valvoline	Dexron	Esso	Texamatic	Dexron II	Donax TG

DESCRIPTION	S. ANGLIN LTD.	ROSEN FUELS	UNITED COOPERATIVES	IMPERIAL OIL	TEXACO CANADA	GULF OIL	SHELL CANADA
GROUP "A"							
<u>1,000 LITRES OIL (TWO CYCLE) ENGINE *</u> Sealed L Trade Brand	\$0.79 L Valvoline		0.66 L	Ø 1.04 L Easy Mix	Ø 0.827 L	Ø 0.92 L	Ø 1.0970 L
<u>500 KG GREASE CHASSIS / Drums / 55 KG *</u>	1.60 K		1.25 K	Ø 1.66 K	Ø 1.00 K	Ø 1.11 K	Ø 1.1109 K
180 KG Trade Brand	1.54 K Valvoline		MPG	Ø 1.57 K Unirex	Ø 0.92 K Marfak AP	Ø 1.02 K Gulf Crown	Ø 1.0209 K M.P.
<u>5,000 LITRES KEROSENE / Drums *</u> Trade Brand				Ø 1.04 L	Ø 0.2045 L Crystallite	Ø 0.205 L	Ø 0.2196 L
<u>4,000 LITRES CLEANING SOLVENT */ Drums</u> Trade Brand				Ø 0.306 L Varsol 3139	Ø 0.2659 L Solvex	Ø 0.269 L Gulfsol	Ø 0.264 L Shellsol
GROUP "B"							
<u>PETROLEUM FUEL OILS</u>							
<u>700,000 LITRES NO. 2 FURNACE</u>	0.1331 L	Ø 0.1300 L		Ø 0.11845 L	Ø 0.11944 L	Ø 0.1261 L	Ø 0.1192 L
<u>550,000 LITRES BUNKER C</u>	0.1023 L						
<u>23,000 LITRES STOVE OIL</u>	0.1430 L	Ø 0.1650 L		Ø 0.13924 L	Ø 0.14254 L	Ø 0.147 L	Ø 0.1280 L

Ø - Prices quoted as subject to change in posted industrial prices on date of delivery.
* Ontario Retail Sales Tax extra

1. The herein tabulation is a summary of all tenders received in response to the subject invitation, which covers the consolidated requirements of the Public Utilities Commission, the Kingston Public Transit, the Kingston Memorial Centre, the Public Library Board, and all City Departments for a projected period of one year.

Continued . . .

2. The invitation was premised by a desire to effect some price stabilization by endeavouring to obtain firm product prices while permitting any subsequently announced adjustments in crude prices to be concurrently indexed and directly aligned with any future federal government guideline policy. Most firms have submitted counter proposals proffering firm discounts to posted bulk delivery prices, thus permitting themselves latitude for passing on purported operational increases over and above any approved price adjustment for crude oil. The single exception, the Anglin company. The latter's prices as shown are slightly higher than the tabulated profile average and in the case of No. 2 furnace oil do not lend to consideration towards acceptance, however, the company has agreed to extend cleaning services originally proffered without charge to all furnaces if awarded the balance of the oil contract. The cost saving to the Corporation would merit consideration and is consequently embraced by the following recommendation.

RECOMMENDATION

It is recommended for consideration that the tender be awarded, in part, as follows:

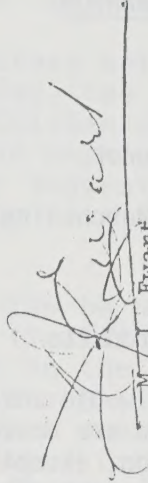
GROUP 'A' - GASOLINE: No. 1 unleaded No. 2 unleaded No. 2 regular OIL DIESEL FUEL: No. 1 & No. 2 Grades		- to IMPERIAL OIL LIMITED, subject to the proviso that any announced changes in price structures are to be subject to the provision of fifteen days' notice of intent and conditional upon the right of renegotiation or cancellation being vested with the Corporation.
	OIL ENGINE LUBRICATING OIL DIESEL ENGINE LUBRICATING OIL TRANSMISSION LUBRICATING HYDRAULIC OIL CLEANING SOLVENT	- to SHELL CANADA LIMITED, subject to the proviso that any announced changes in price structures are to be subject to the provision of thirty days' notice of intent and conditional upon the right of renegotiation or cancellation being vested with the Corporation.
	TYPE 'A' AUTO. TRANSMISSION FLUID GREASE CHASSIS LUBRICATING KEROSENE	- to TEXACO CANADA LIMITED, subject to the proviso that any announced changes in price structures are to be subject to the provision of thirty days' notice of intent and conditional upon the right of renegotiation or cancellation being vested with the Corporation.
	GROUP 'B' - FURNACE OIL NO. 2	- to IMPERIAL OIL LIMITED, subject to the proviso that any announced changes in price structures are to be subject to the provision of fifteen days' notice of intent and conditional upon the right of renegotiation or cancellation being vested with the Corporation.
	STOVE OIL NO. 1 AND BUNKER 'C'	- to S. ANGLIN COMPANY LIMITED, subject to the proviso that any announced changes in price structures are to be subject to the provision of thirty days' notice of intent and conditional upon the right of renegotiation or cancellation being vested with the Corporation.

Continued . . .

RECOMMENDATION

The foregoing recommendations are based on the lowest or one of the lowest tenders for each item in accordance with the rates prevailing at the time of tabulation or in the case of lubricating oils and greases, are based on tenders which are generally lower in order to avoid intermixing of crank case and other lubricants which could have deleterious effects. (The foregoing conditions of acceptance and provisos as setout do not necessarily agree with conditions spelled out by the various companies in their tender submissions, but provide the Corporation some reasonable say and protection in the contract and counter the somewhat autocratic disposition of the various submissions.)

Respectfully submitted,


M. J. Ewart,
Director of Purchasing.

MJE/jg



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

Director of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. B.G. Cousens, City Treasurer.
FROM: Mr. M.J. Ewart, Director of Purchasing.
DATE: June 21, 1979.
RE: Tender No. 79-25/Petroleum Products

In pursuance your request, I would advise that the recommendations contained in the attached tabulation are based on the lowest product cost, or lowest end cost to the Corporation, except where qualified in respect to intermixing of lubricants which has received precedent consideration for many years.

The recommendations contained in the attached summary are based on the lowest prices submitted at the time of tabulation, or in the case of the Anglin bid, takes into consideration the availment of cost advantages inherent in the conditions proffered by them.

In essence, Anglin agrees to extend free preseason servicing which involves some thirty service locations if awarded the contract for Bunker C and Stove Oil.

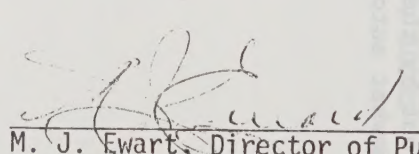
Saving projections are as follows:

Average annual servicing costs - approximately	\$1,000.00
Cost differential between Shell Canada and S. Anglin	345.00
Net saving to the Corporation	655.00

Inducement clause for the provision of service agreements is incorporated into the invitation to tender.

MJE/jg

att.


M. J. Ewart, Director of Purchasing.

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 21st, 1979.

SUBJECT Parking Control - Montreal Street, West Side,
Between John Street and Markland Street.

ORIGIN Requested by City Council at meeting on June 11th,
1979, when attached report dated June 7th was
considered.

- ANALYSIS
1. Nine letters were sent to households and businesses on Montreal St. between John St. and Markland St. requesting comments or objections to the proposal to prohibit parking on the west side of Montreal St. between John St. and Markland St.
 2. Two letters were received, one unsigned letter objecting, the other letter from the Kentucky Fried Chicken operation, objecting to the proposed parking prohibition but concurring with my suggestion that 15 minute parking might be more suitable than all day parking.

RECOMMENDATION That a by-law be presented to Council to amend By-law 24 (Traffic) to provide that parking be prohibited on the west side of Montreal Street from John Street 100 feet southerly to the Kentucky Fried Chicken entrance; and that 15 minute parking be established from 30 feet north of Markland St. northerly 55 feet.

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

MEMO TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

SUBJECT Parking Control - Montreal Street, West Side,
Between John Street and Markland Street

ORIGIN Complaints from residents regarding all day
parking.

ANALYSIS

a) Existing Parking Regulations:

West Side - fifteen minute parking zone near
John Street, unrestricted parking rest of block.

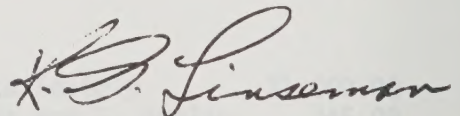
East Side - No Parking.

b) Study:

Observation and comments from residents indicate that cars park for substantial lengths of time. Kentucky Fried Chicken operation has its own parking lot on the west side of Montreal St. and the plaza on the east side also has its own parking lot. The corner store at the southwest corner of Montreal and John Streets is closed. Removal of parking should not provide any hardship to the businesses. Removal of parking will improve the visibility for motorists using John Street, Markland Street, the Kentucky Fried Chicken lot and the plaza. Removal of parking will also assist young pedestrians who frequently cross this section of Montreal Street.

RECOMMENDATION

- a) That parking be prohibited on the west side of Montreal Street between John Street and Markland Street.
- b) That letters be sent to property owners for comment or objection to the proposed parking regulations.



K. G. Linseman, P.Eng., M.Sc.,
Administrator.

June 7th, 1979.

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 21st, 1979.

SUBJECT Stop Sign - Folger Street at MacCauley Street

ORIGIN Request from Alderman Bishop.

ANALYSIS

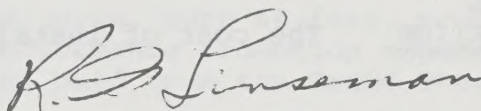
1. This is a "T" intersection with a public school on the northwest corner. Folger Street terminates at MacCauley Street .
2. A large number of students cross Folger Street walking to and from school.

EXISTING POLICY Presently there are no traffic signs at this intersection; hence, the basic rules of the road apply.

FINANCIAL CONSIDERATION The cost of installation of a stop sign is minimal.

RECOMMENDATION That a by-law be presented to Council to amend By-law 24 (Traffic) to provide that a stop sign be installed on Folger Street at its intersection with MacCauley Street.

:lk



K. G. Linseman, P.Eng., M.Sc.,
Administrator.

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 21st, 1979.

SUBJECT Stop Sign - Smith Street at South Bartlett Street

ORIGIN Request from a resident on Smith Street, as a result of cars entering and exiting from Tim Horton Donuts (located at Princess and Smith Sts.) without caution and screeching their tires.

ANALYSIS

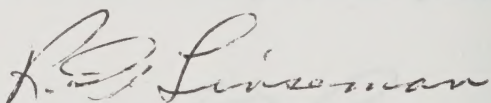
1. This is a skewed "T" intersection, with Smith Street being one short block between South Bartlett Street and Princess, and South Bartlett Street being one block between Macdonnell and Victoria Streets.
2. Traffic on both South Bartlett Street and Smith Street is light, but late night traffic from Tim Horton Donuts and nearby taverns cause unnecessary screeching of tires at this intersection.
3. Visibility is poor at this intersection.

EXISTING POLICY At the present time, there are no traffic signs at this intersection; hence, the basic rules of the road apply.

FINANCIAL CONSIDERATION The cost of installation of a stop sign is minimal.

RECOMMENDATION That a by-law be presented to Council to amend By-law 24 to provide that a stop sign be installed on Smith Street at its intersection with South Bartlett Street.

:lk


K. G. Linseman, P.Eng., M.Sc.,
Administrator.

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

DATE: June 21st, 1979.

SUBJECT Resolution - Grand Theatre Board of Management

At a meeting of the Grand Theatre Board of Management held on June 19th, 1979, the following resolution was passed:

"WHEREAS the Board of Management of the Grand Theatre has decided to sponsor shows in the theatre in an effort to fully utilize the theatre;

AND WHEREAS certain government subsidies have been requested to assist in the financing of Board sponsored shows;

AND WHEREAS government grants have been offered to the Grand Theatre in the following amounts:

Canada Council	\$5,000.
Ontario Arts Council	\$1,000.
Wintario (given over a period of two-and-a-half years and can never be applied for again)	\$21,900.

AND WHEREAS these government grants and any profits realized therefrom must be used for programming and not for operating or capital expenditures;

THEREFORE BE IT RESOLVED that it be recommended to Council that, in order that the criteria of the grants may be adhered to, a Reserve Fund be established for Grand Theatre programming and promotion, subject to the following conditions:

1. That all government grants, gifts and box office revenues of Board sponsored shows shall be deposited in the Grand Theatre events bank account.
2. That all expenditures, such as fees, production expenses and performance promotion expenses, shall be withdrawn and paid from the Grand Theatre events bank account.
3. That the net proceeds from each Board sponsored show be transferred from the Grand Theatre events bank account to the City Treasurer, to be deposited in a Reserve Fund for "Grand Theatre Programming and Promotion", such transfers to be made at the end of the month following the event, except in those cases where the event is held during the last few days of the month and the net proceeds cannot be determined until the next following month, then the transfer shall be made at the end of the next following month.
4. That performance contracts shall not be entered into without approval of the Board of Management of the Grand Theatre.
5. That monies shall not be expended from the Reserve Fund for other than programming or promotion without the approval of City Council.
6. That Board sponsored shows shall pay rental to the theatre, box office charges and any other charges related to sponsoring a show in the Grand Theatre, to assist in the support of the operation of the building.

L. Kitching

Lila Kitching,
Secretary,
Grand Theatre Board.

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 21st, 1979.

SUBJECT Parking Control - Princess Street from Division St. to Regent St.

ORIGIN Council requested a report on the following amended Notice of Motion at Council meeting June 4th;

"That the Traffic, Streets and Parking Administrator present a report two months after the Gorsline lot becomes operational:

1. the implications of taking parking off Princess Street at rush hours; and
2. the parking situation between Division Street and the old traffic circle to include parking provided on side streets off Princess Street and the present and future need for parking lots in this area."

ANALYSIS

1. Two months is sufficient to evaluate the effect on traffic movement after relocating parking from Princess Street between Macdonnell St. and Tower St. to the Gorsline parking lot.
2. A study on the feasibility of prohibiting parking on Princess St. during peak hours is very desirable.
3. A study of available parking on side streets to Princess St. and the present and future need for parking lots in this area is also very desirable.

EXISTING POLICY

1. The Traffic Department reviews the effectiveness of any changes in parking regulations.
2. Zoning By-law 8499, established by City Council on October 14th, 1975, requires all new developments and expansion of commercial properties on Princess St. between Division St. and the old traffic circle, to provide sufficient off-street parking.
3. The Committee of Adjustment has recently granted substantial variances to parking requirements for Bell Canada and Jade Gardens Restaurant. If major variances to parking requirements continue, the City will have to establish municipal parking lots along Princess Street.
4. The City has provided off-street parking (Gorsline lot) in the Macdonnell and Drayton Street area, due to the intense commercial development prior to the approval of the zoning by-law passed in 1975 requiring off-street parking.

FINANCIAL CONSIDERATION

Existing staff should be able to conduct the study within the current budget.

RECOMMENDATION

That the amended Notice of Motion be recommended that is,

"That the Traffic, Streets and Parking Administrator present a report two months after the Gorsline lot becomes operational:

1. the implications of taking parking off Princess Street at rush hours; and
2. the parking situation between Division Street and the old traffic circle to include parking provided on side streets off Princess Street and the present and future need for parking lots in this area."

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 21st, 1979.

SUBJECT Parking Control - Albert Street, Both Sides,
Princess Street southerly.

ORIGIN Requested by City Council at meeting on June 11th,
1979, when attached report of June 7th, 1979, was
considered.

ANALYSIS

1. Seventeen letters were sent to households and businesses on both sides of Albert Street from Princess Street southerly requesting comments or objections to the proposed parking regulations.
2. Four letters and a petition from five households were received. Two letters from 478 and 480 Albert Street indicated approval of the proposed parking regulations. The third letter, which also signed the petition, opposed the proposed parking regulations. The fourth letter objected to the proposal but agreed that there is a parking problem and requests more stringent parking control; that is, no parking between 10-11 a.m. and 2-3 p.m.
3. In summary, 6 of the 17 households and businesses opposed the proposed parking regulations. The five households opposing the regulations are located farthest from Princess Street. These households do not experience any serious parking problems at the present time and were only included as it was feared that all day parkers may move farther down the street.
4. It is recommended that the proposed two hour time limit in front of the objecting households be deferred and reviewed at a later date; that is, that the proposed two hour time limit on the east side of Albert Street south of 465 Albert St. (Moon Realty) be deferred, and that the proposed two hour time limit on the west side of Albert Street south of 470 Albert be deferred at this time.

RECOMMENDATION

That a by-law be presented to Council to amend By-law 24 (Traffic) to provide that parking regulations be established on Albert St. south of Princess Street as follows:

- a) East Side - That parking meters be installed from 120 feet south of Princess St. southerly 120 feet (2-3 meters) to the south limit of 465 Albert St.
- b) West Side - That the fifteen minute parking zone on Albert Street remain, and that a two hour time limit be established on parking from 103 feet south of Princess St. southerly 204 feet to the south limit of 470 Albert Street from 8 a.m. to 6 p.m.

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

MEMO TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

SUBJECT Parking Control - Albert Street, Both Sides,
Princess Street southerly.

ORIGIN Complaints from property owners regarding all day
parking by employees of nearby commercial establish-
ments.

ANALYSIS a) Existing Parking Regulations:

East Side - No Parking from Princess St. southerly
120 feet, unrestricted parking for the
rest of the block.

West Side - No Parking from Princess St. southerly
75 feet, then fifteen minute parking
for 28 feet in front of the church;
unrestricted parking for the rest of
the block.

b) Survey:

Survey confirms that cars are being parked all day
and that the fifteen minute parking zone is badly
abused despite enforcement.

RECOMMENDATION a) East Side - That parking meters be installed from
120 feet south of Princess St. southerly
120 feet (2-3 meters) to the south
limit of 465 Albert Street, and that
a two hour time limit be established
from 465 Albert Street southerly 150 ft.

b) West Side - That the fifteen minute parking zone on
Albert Street remain, and that a two
hour time limit be established on
parking from 103' south of Princess
St. 300' southerly.

c) That letters be sent to property owners for comment
or objection to the proposed parking regulations.

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

June 7th, 1979.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

City Solicitor

Our Ref. No. O-39

CITY HALL

KINGSTON, ONTARIO

K7L 2Z3

(613) 546-4291

M E M O R A N D U M

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: June 21, 1979

RE: Ontario Municipal Board Hearing into By-Law 9283

By-Law No. 9283 imposes development control on the lands commonly known as the Marina City lands. A portion of the Marina City lands were previously covered by development control and By-Law No. 9283 was passed at the time of entering into agreements with the Marina City developers, it being intended to cover the balance and largest portion of the Marina City lands. This by-law was passed on June 12, 1978, just prior to the entering into of the development agreements. The agreements indicated that they were entered into in part pursuant to this by-law and that the development control requirements of this by-law were to be satisfied by those agreements.

The Supreme Court of Canada in January, 1979, ruled the City of Toronto development control by-law ultra vires. I advised you and Mr. Muirhead of this in a written opinion. Subsequently, I referred again to this decision in a memorandum directed to you for City Council's attention when they were considering additions to homes in Sydenham Ward.

It is my position that the Supreme Court of Canada decision has weakened all development control by-laws in the Province of Ontario. However, I am not prepared to admit that the City of Kingston development control by-law is invalid and suggest that the Toronto case may be distinguishable. Development control has continued to be applied in the City of Kingston.

The Minister of Housing has made all municipalities aware that he is presenting new legislation in The Planning Act which will enable municipalities to carry on administering development control. Bill 96 implementing the new legislation has been given two readings by the legislature, but has not yet been passed and is not in effect.

.../2

- 2 -

Mr. R.J. Hamilton,
Chief Administrative Officer

June 21, 1979

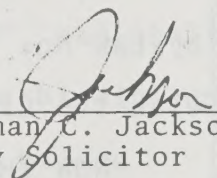
In the meantime, the Ontario Municipal Board had scheduled a hearing into By-Law No. 9283 which imposed development control on the Marina City lands. Mr. Manson represented Mr. and Mrs. Phipps-Walker who objected. Mr. Gerald Hodge and Mrs. Dorothy Geiger also objected to the by-law at the hearing held this date.

The Board Chairman, Mr. Wheeler, approved of By-Law No. 9283 of the City of Kingston respecting Marina City lands, subject to the owner of these lands agreeing with the City that:

1. The owner would require any purchaser to be bound by the terms of the existing agreements;
2. The owner would not object to any new by-law passed by City Council under new provincial legislation and the owner would agree to enter into any new agreements under the new legislation if required by City Council;
3. The owner agree to be bound by the existing agreements on behalf of his successors and assigns, notwithstanding any judicial interpretation on By-Law No. 9283.

The Ontario Municipal Board did not get into the previous agreements at all, the by-law only being the subject of the hearing, and the Board was satisfied that an agreement containing the aforementioned conditions and a dominant and servient tenement would further protect the City's interests.

In accordance with the decision, the Ontario Municipal Board will not issue its Order until I advise them as to whether the City has received an agreement covering these obligations. I have drawn an agreement to cover the Municipal Board's concerns, and it has been signed by the owner of the lands and will be sealed in the near future. The owner is in complete agreement with the decision of the Ontario Municipal Board and the agreement. I therefore recommend that City Council approve of the terms of this agreement and that the Mayor and City Clerk be authorized to execute the agreement.



Norman C. Jackson,
City Solicitor

NCJ/ks
Enclosure

THIS AGREEMENT made in duplicate this 21st day of June, 1979.

B E T W E E N:

THE CORPORATION OF THE CITY OF KINGSTON,

Hereinafter called the "CITY"

OF THE FIRST PART

- and -

361029 ONTARIO LIMITED, a company incorporated under the laws of the Province of Ontario, having its head office in the City of Belleville, Ontario,

Hereinafter called the "OWNER"

OF THE SECOND PART

WHEREAS the Ontario Municipal Board on June 21, 1979 held a hearing into By-Law No. 9283 of The Corporation of the City of Kingston;

AND WHEREAS By-Law 9283 imposes development control on lands of the Owner, which lands are more particularly described in Schedule "A" hereto annexed;

AND WHEREAS the City is the owner of lands described in Schedule "B" hereto annexed;

AND WHEREAS the Ontario Municipal Board approved of By-Law No. 9283, subject to the Owner of the lands agreeing with the City to the following covenants;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE (\$1.00) DOLLAR (the receipt of which is hereby acknowledged), and in consideration of the following covenants, the parties hereto covenant and agree as follows:

1. The Owner covenants and agrees to extract from any purchaser of any of the lands described in Schedule "A", an agreement to be bound by the terms of the existing agreements covering the lands described in Schedule "A" entered into between the City and the Owner dated December 18, 1978 and

- 2 -

registered January 5, 1979 as Instrument Nos. 317291, 317294 and 317293; it being understood that the intent of this covenant would only apply in so long as any of the terms of the aforesaid agreements remain outstanding.

2. The Owner further covenants and agrees that in the event of new legislation being enacted in The Planning Act, R.S.O. 1970, Chapter 349, to repeal and substitute therefor different requirements in respect of Section 35(a), that the Owner, its heirs, successors and assigns, shall not object to any implementing by-law passed by Council pursuant to such legislation and further that the Owner will enter into any agreements deemed necessary by City Council pursuant to such by-law and legislation consistent with said Agreements as in Nos. 317291, 317294 & 317293.

and the City
3. The Owner, its heirs, successors and assigns, covenant and agree to be bound by the provisions contained in the agreements between the City and the Owner dated December 18, 1978 and registered January 5, 1979 as Instrument Nos. 317291, 317294 and 317293, covering the lands described in Schedule "A" hereto, notwithstanding any judicial interpretation concerning the validity of By-Law No. 9283.

4. This agreement shall be registered against the lands described in Schedule "A" and shall be for the benefit of the City's lands described in Schedule "B", and shall run with the lands described in Schedule "A" and be binding upon the heirs, successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals under the hands of their proper signing officers in that behalf.

SIGNED, SEALED and DELIVERED)
in the presence of)

THE CORPORATION OF THE CITY OF
KINGSTON

Per: _____
Mayor

City Clerk

361029 ONTARIO LIMITED

Per: Georgi Kharin

- 3 -

SCHEDULE "A"PARCEL I

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Kingston in the County of Frontenac and being composed of Part of Town Lot 29, 30, 37 and 38 being more particularly described as Part 1, according to Reference Plan 13R-191.

PARCEL II

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Kingston in the County of Frontenac and being composed of Part of Town Lot 27, 28, 39 and 40, being more particularly described as Part 2, according to Reference Plan 13R-191.

PARCEL III

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Kingston in the County of Frontenac and being composed of Part of land on Bank in front of Town Lots 29 and 30 and being more particularly described as Part 3, according to Reference Plan 13R-191.

PARCEL IV

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Kingston in the County of Frontenac and being composed of Part of Water Lot 25, 26, 27, 28 and Water Lot in front of Extension of Earl Street and being more particularly described as Part 4, according to Reference Plan 13R-191.

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 21st, 1979.

SUBJECT Street Closing - Part of Queen's Crescent Between
University Avenue and Albert Street.

ORIGIN Request for report by City Council on June 11th,
1979, after considering the attached report of
June 7th, 1979, to consider the following matters:

1. If Queen's Crescent is to remain closed there should be an appraisal of the land involved and Queen's University should be approached to purchase same.
2. Who will be responsible for the maintenance of the road.
3. Are there any utilities or City services in the road.
4. Will it interfere with fire protection.

ANALYSIS

1. Purchase of Queen's Crescent by Queen's University

- a) It should be made clear that only the central 20% of Queen's Crescent has been closed by by-law; that is, approximately 214 feet. The remaining 800 feet is still public road. Consideration is whether 214 feet of Queen's Crescent or the entire block should be sold to Queen's University, due to the restrictions at each end of the block to discourage traffic other than Queen's University users.
- b) Dr. H. M. Love, Vice-Principal of Queen's University, was contacted for comment on the proposal to sell Queen's Crescent or part thereof to Queen's University. Dr. Love indicated that Queen's University could not afford to pay market value price for Queen's Crescent. Dr. Love stated that even the \$60,000 budgeted for landscaping had been reduced to less than \$15,000 due to financial constraints.
- c) It may be undesirable for the City to sell the closed section of Queen's Crescent, as the City may be unable to reopen the street if such a need were to occur in future; e.g., if Queen's did not continue to clean the street and remove the snow to the satisfaction of the City.

2. Maintenance of the Road

- a) Queen's University had offered and assumed the responsibility and will continue to clean the street and to remove the snow.
- b) The Fire Chief was contacted and indicated that Queen's University has removed the snow satisfactorily for fire protection.
- c) The Works Commissioner was contacted and indicated that the street has been satisfactorily cleaned and plowed.

3. City Services in the Road

If the closed section of Queen's Crescent is sold, then easements must be provided for above and underground utilities and city services.

4. Fire Protection

The Fire Chief has confirmed that the proposed Plan 63-L065, which shows the proposed landscaping and restricted areas at University Ave. and Albert Street, is satisfactory for fire protection.

Vice-Principal Love had been asked for a letter to officially state Queen's University's position on the matters raised by Council, and Dr. Love's letter is attached.

ALTERNATIVES

1. The motion which was tabled at the regular meeting of City Council on June 11th, 1979, to repeal By-law 9034, "A By-law to Stop Up and Close Queen's Crescent between University Avenue and Albert Street".
2. From a Traffic and Streets viewpoint the opening of Queen's Crescent is not objectionable, due to the low volume of traffic which used Queen's Crescent before it was closed.

FINANCIAL CONSIDERATION

Queen's University will be responsible for all costs to implement the landscaping Plan 63-L065.

RECOMMENDATION

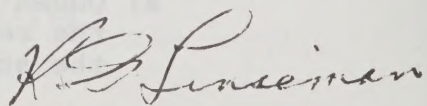
WHEREAS Queen's Crescent has been closed for almost a year without any traffic flow problems;

AND WHEREAS improved safety has resulted for the high number of pedestrians using Queen's Crescent;

AND WHEREAS Queen's Crescent is not required for movement of external traffic other than Queen's University traffic;

AND WHEREAS Queen's University has requested that Queen's Crescent remain closed on the basis of Plan 63-L065;

IT IS RECOMMENDED that Council not repeal By-law 9034 and that the 214 foot section of Queen's Crescent, about half way between University Avenue and Albert Street, remain closed on the basis of Plan 63-L065, which shows the proposed landscaping at the centre of the block to prevent through traffic and restricted areas at University Avenue and Albert Street to discourage traffic from entering the area unnecessarily.



K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

MEMO TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

SUBJECT Street Closing - Part of Queen's Crescent,
between University Avenue and Albert Street.

ORIGIN a) Queen's University to Transportation Committee.

b) Transportation Committee referred request to
Committee-of-the-Whole.

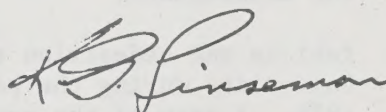
ANALYSIS a) This section of Queen's Crescent has been
closed for almost a year without any traffic
flow problems.

b) Improved safety has resulted for the high
number of pedestrians using Queen's Crescent.

c) No objections from the Fire Chief to the
proposed plan.

d) Reviewed by the City of Kingston/Queen's
University Liaison Committee.

RECOMMENDATION That Queen's Crescent be closed on the basis of
Plan 63-L065, which shows the proposed landscaping
at the centre of the block to prevent through
traffic, and restricted areas at University Avenue
and Albert Street to discourage traffic from
entering the area unnecessarily.



K. G. Linseman, P.Eng., M.Sc.,
Administrator.

June 7th, 1979.



VICE-PRINCIPAL (SERVICES)

Queen's University
Kingston, Canada
K7L 3N6

20 June 1979

Mr. Ken Linseman,
Traffic and Streets Administrator,
Corporation of the City of Kingston,
City Hall,
Kingston, Ontario.

Dear Mr. Linseman:

Re: Street Closing - Part of Queen's Crescent
between University Avenue and Albert Street

You called yesterday to discuss the various matters raised by City Council regarding the Queen's University proposal for the closing of Queen's Crescent. I have reviewed the situation and am submitting the following information as a basis for any report you may be making to Council.

- (a) The University is not interested in acquiring the property within the street allowance. We have no intention of building on the property or of restricting access by the public. We only wish to restrict through vehicle traffic so that use of the street will be limited, in the main, to pedestrians;
- (b) There is no plan to interfere with any of the services under the street, or to assume responsibility for them;
- (c) The proposed closing of Queen's Crescent will not restrict access by service vehicles. The comments of Chief Cowdy with regard to access by fire fighting equipment are given in his letters to Mr. T. J. McKibbin of February 20, 1979 and to Mr. G. McCahill of March 13, 1979 (copies attached);
- (d) If the closing of Queen's Crescent is authorized, the University will assume responsibility for snow removal and street cleaning and maintenance;
- (e) Vehicle and pedestrian traffic surveys were carried out by the University during the periods July 17-21, 1978 and September 25-29, 1978. A copy of the report of these surveys is attached. You will note that during the July survey the average number of pedestrians, automobiles and service vehicles using the street between 0800 hours and 1700 hours daily was 2,309, 168 and 103 respectively. During the September survey these numbers were 9,134, 325 and 63. The subsequent survey referred to in the report which was to be made after the barrier was removed was never carried out because the street remained closed.

I hope that the above information will answer the questions referred to you by City Council. If not, please let me know of any additional information you require.

I understand that the matter will be considered again by City Council on Monday, June 25, 1979. I plan to attend the meeting, together with certain other representatives from the University, and will be prepared to answer any questions members of City Council may wish to raise.

Yours very truly,

H. M. Love,
Vice-Principal (Services).

Encls.

COPY

Office of the Fire Chief

Feb. 20, 1979.

Mr. T. J. McKibbin
Clerk-Comptroller
City of Kingston
City Hall.

SUBJECT - Queen's Crescent
Closing of

Dear Sir:

As you are aware this department agreed to the installation of barricades on Queen's Crescent in front of Stirling Hall some time ago. We agreed to this on the understanding that a fire route would be maintained to the barricade from University Avenue as well as from Albert Street. Also, the access on the east side of Victoria Hall was to be maintained and the access routes between Agnes Etherington and Harrison Le Caine and to University Avenue between Richardson and Ellis Halls was to be maintained.

From the plans submitted I would recommend that the opening of University Avenue and Albert Street be a minimum of 12' wide and that all interior fire routes as described above the 20' wide and properly posted fire route.

I would be pleased to discuss the matter with you/or representatives of the University at your convenience.

Yours truly,

(Signed)
K. A. Cowdy
Fire Chief.



CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE FIRE CHIEF

BROCK STREET FIRE STATION
KINGSTON, ONTARIO

March 13, 1979.

Mr. G. McCahill,
Dept. of Physical Plant,
Queen's University,
Stuart Street,
Kingston, Ontario.

Re: Traffic restrictions --
Queen's Crescent

Dear Mr. McCahill:

Further to my letter of February 20th, 1979, this is to confirm our discussion regarding re-location of the barricade on Queen's Crescent.

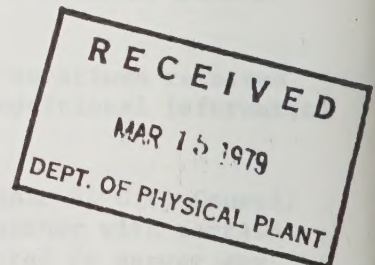
Present location is preferred by this Department as the suggested re-location would adversely effect responding fire apparatus in the area.

Thank you for your co-operation in this regard.

Yours truly,

K.A. Cowdy
K.A. Cowdy,
Fire Chief.

KAC/bd



File: 1689

VEHICLE AND PEDESTRIAN TRAFFIC SURVEYSONQUEEN'S CRESCENT BETWEEN UNIVERSITY AVENUE & ALBERT STREET

Two vehicle and pedestrian traffic surveys were made on Queen's Crescent during the weeks starting on the 17th July, 1978 and the 25th September, 1978. The traffic counts from all directions were taken both on the east and west sides of the rock traffic barrier on Queen's Crescent. Traffic counts are attached. A marked up plan, also attached, shows the two areas covered.

Pertinent information relating to each survey is given below:

SURVEY No.1.

DATE: July 17th to 21st inclusive

GENERAL: This period was one of relatively light occupancy in residences. The maximum number in the main campus residences during this period was approximately 840.

PARKING PERMITS: The approximate number of parking permits in effect during this period was 2030. (This includes approximately 230 conference permits.)

SURVEY No.2

DATE: September 25th to 29th September inclusive.

GENERAL: Full student enrollment was assumed on the campus. Main campus residences housed approximately 2270 students.

PARKING PERMITS: Approximately 2500 parking permits were in effect during this period.

GENERAL OBSERVATION:

During the full student attendance, at heavy traffic periods, sidewalks at times were filled in places and students used the roadway. There were often groups formed on the sidewalks or roadway which could interfere with normal traffic.

A later survey will be taken, sometime in November with the barrier removed.

Attach:

AJB:gj

11.10.78

File: 1689

VEHICLE AND PEDESTRIAN
TRAFFIC SURVEY

Date: Monday, July 17th, 1978.

Time	Victoria Hall Section Traffic			Music Building & University Avenue Traffic		
	Ped's.	Ser. Veh.	Cars	Ped's.	Ser. Veh.	Cars
0800- 0900	185	2	16	377	17	15
0900- 1000	101	4	10	111	10	7
1000- 1100	81	5	12	115	4	10
1100- 1200	136	3	19	219	12	11
1200- 1300	175	0	9	269	9	12
1300- 1400	L U N C H					
1400- 1500	120	3	17	188	11	12
1500- 1600	122	3	12	108	5	14
1600- 1700	135	2	32	152	11	15
Totals	1055	22	127	1539	79	96

GRAND TOTALS: Cars: 223

Ser. Veh.: 101

Pedestrians: 2594

File: 1689

**VEHICLE AND PEDESTRIAN
TRAFFIC SURVEY**

Date: Tuesday, July 18th, 1978.

Time	Victoria Hall Section Traffic			Music Building & University Avenue Traffic		
	Ped's.	Ser. Veh.	Cars	Ped's.	Ser. Veh.	Cars
0800-0900	196	1	16	251	7	6
0900-1000	96	13	9	96	7	6
1000-1100	76	3	6	85	5	12
1100-1200	73	5	14	182	7	5
1200-1300	L U N C H					
1300-1400	123	3	10	374	5	10
1400-1500	103	8	16	184	6	19
1500-1600	145	2	24	218	7	15
1600-1700	104	0	13	192	20	17
Totals	816	35	108	1582	64	90

GRAND TOTALS: Cars: 198
 Ser. Veh.: 99
 Pedestrians: 2398

File: 1689

**VEHICLE AND PEDESTRIAN
TRAFFIC SURVEY**

Date: Wednesday , July 19, 1978.

Time	Victoria Hall Section Traffic			Music Building & University Avenue Traffic		
	Ped's.	Ser. Veh.	Cars	Ped's.	Ser. Veh.	Cars
0800- 0900	170	4	14	282	18	21
0900- 1000	97	9	11	118	11	16
1000- 1100	92	1	13	117	8	14
1100- 1200	95	3	9	209	11	10
1200- 1300	L U N C H					
1300- 1400	136	7	5	207	9	16
1400- 1500	100	4	10	182	10	16
1500- 1600	93	5	11	201	12	13
1600- 1700	99	0	11	108	10	15
Totals	882	33	84	1424	89	105

GRAND TOTALS:

Cars: 189

Ser. Veh.: 122

Pedestrians: 2306

File: 1689

**VEHICLE AND PEDESTRIAN
TRAFFIC SURVEY**

Date: Thursday, July 20th, 1978.

Time	Victoria Hall Section Traffic			Music Building & University Avenue Traffic		
	Ped's.	Ser. Veh.	Cars	Ped's.	Ser. Veh.	Cars
0800- 0900	191	5	6	299	11	14
0900- 1000	94	7	7	80	10	7
1000- 1100	55	2	7	91	15	17
1100- 1200	96	4	3	212	9	13
1200- 1300	L U N C H					
1300- 1400	176	2	13	219	4	15
1400- 1500	188	7	20	295	12	22
1500- 1600	117	3	5	164	9	25
1600- 1700	84	2	13	99	2	26
Totals	901	32	74	1459	72	139

GRAND TOTALS: Cars: 213
 Ser. Veh.: 104
 Pedestrians: 2360

Note: One person (and probably others) stated that the road has much more usage but, because of the construction work, she and other university employees were keeping their cars away.

File: 1689

VEHICLE AND PEDESTRIAN
TRAFFIC SURVEY

Date: Friday, July 21, 1978.

Time	Victoria Hall Section Traffic			Music Building & University Avenue Traffic		
	Ped's.	Ser. Veh.	Cars	Ped's.	Ser. Veh.	Cars
0800-0900	176	1	11	310	18	11
0900-1000	85	3	8	152	20	30
1000-1100	80	2	15	147	11	14
1100-1200	100	3	11	250	7	13
1200-1300	L U N C H					
1300-1400	40	4	12	143	0	5
1400-1500	40	3	12	175	16	12
1500-1600	50	1	10	141	1	11
1600-1700						
Totals	571	17	79	1318	73	96

GRAND TOTALS:

Cars: 21

Ser. Veh.: 90

Pedestrians: 1889

File: 1689

**VEHICLE AND PEDESTRIAN
TRAFFIC SURVEY**

Date: Monday, September 25, 1978.

Time	Victoria Hall Section Traffic			Music Building & University Avenue Traffic		
	Ped's.	Ser. Veh.	Cars	Ped's.	Ser. Veh.	Cars
0800-0900	886	0	35	505	4	11
0900-1000	615	3	23	567	6	16
1000-1100	500	5	14	700	3	15
1100-1200	560	6	34	670	1	19
1200-1300	677	3	23	650	0	15
1300-1400	590	4	29	779	0	10
1400-1500	571	3	29	565	5	11
1500-1600	323	1	20	355	5	13
1600-1700	348	1	18	370	9	7
Totals	5070	26	215	5161	33	117

GRAND TOTALS:

Cars: 332

Ser. Veh.: 58

Pedestrians: 10,231

File: 1689

**VEHICLE AND PEDESTRIAN
TRAFFIC SURVEY**

Date: Tuesday, September 26, 1978.

Time	Victoria Hall Section Traffic			Music Building & University Avenue Traffic		
	Ped's.	Ser. Veh.	Cars	Ped's.	Ser. Veh.	Cars
0800- 0900	818	2	24	520	2	7
0900- 1000	470	4	11	638	5	12
1000- 1100	348	1	20	660	2	10
1100- 1200	756	2	21	629	3	12
1200- 1300	701	2	18	712	4	14
1300- 1400	488	2	26	680	5	12
1400- 1500	476	3	29	380	5	22
1500- 1600	266	1	21	372	6	11
1600- 1700	371	2	14	413	8	4
Totals	4,684	19	184	5,004	40	104

GRAND TOTALS:

Cars: 288

Ser. Veh.: 59

Pedestrians: 9,688

File: 1689

**VEHICLE AND PEDESTRIAN
TRAFFIC SURVEY**

Date: Wednesday, September 27, 1978.

Time	Victoria Hall Section Traffic			Music Building & University Avenue Traffic		
	Ped's.	Ser. Veh.	Cars	Ped's.	Ser. Veh.	Cars
0800- 0900	840	0	27	515	1	7
0900- 1000	430	0	24	590	0	14
1000- 1100	321	2	16	715	3	10
1100- 1200	589	0	25	903	7	6
1200- 1300	682	2	23	872	2	11
1300- 1400	556	3	17	487	1	13
1400- 1500	480	4	10	457	11	42
1500- 1600	367	2	14	412	3	12
1600- 1700	491	5	17	298	2	6
Totals	4,756	18	173	4,549	30	121

GRAND TOTALS: Cars: 294
 Ser. Veh.: 48
 Pedestrians: 9,305

File: 1689

VEHICLE AND PEDESTRIAN TRAFFIC SURVEY

Date: Thursday, September 28, 1978.

Time	Victoria Hall Section Traffic			Music Building & University Avenue Traffic		
	Ped's.	Ser. Veh.	Cars	Ped's.	Ser. Veh.	Cars
0800-0900	678	1	30	620	5	4
0900-1000	330	2	17	403	11	7
1000-1100	340	8	10	242	4	16
1100-1200	603	6	26	506	3	13
1200-1300	597	3	32	591	2	17
1300-1400	583	4	34	770	2	14
1400-1500	457	0	26	600	4	15
1500-1600	212	7	25	520	2	12
1600-1700	506	2	23	306	5	7
Totals	4,306	33	223	4,558	38	105

GRAND TOTALS:

Cars: 328

Ser. Veh.: 71

Pedestrians: 8864

File: 1689

**VEHICLE AND PEDESTRIAN
TRAFFIC SURVEY**

Date: Friday, September 29, 1978.

Time	Victoria Hall Section Traffic			Music Building & University Avenue Traffic		
	Ped's.	Ser. Veh.	Cars	Ped's.	Ser. Veh.	Cars
0800- 0900	615	2	31	670	2	8
0900- 1000	340	0	15	500	7	11
1000- 1100	302	4	25	510	8	11
1100- 1200	607	6	31	595	4	18
1200- 1300	580	0	21	531	2	26
1300- 1400	430	5	25	559	3	25
1400- 1500	300	16	26	206	4	20
1500- 1600	129	6	28	361	2	12
1600- 1700	241	3	42	106	4	9
Totals	3,544	42	244	4,037	36	140

GRAND TOTALS: Cars: 384
 Ser. Veh.: 78
 Pedestrians: 7581

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 21st, 1979.

SUBJECT Parking Control - Vicinity of 541 College Street

ORIGIN Request from Hartford Arms Apartment Building,
541 College Street, and letter dated June 5th,
1979 (attached).

ANALYSIS

a) Existing Parking Regulations

Unlimited parking is permitted on both sides
of College Street.

b) Study

Observation and letter indicate that cars
park for substantial lengths of time during
the daytime period. The requested prohibited
parking between 10-11 a.m. and 2-3 p.m. may
encourage the all day parkers from nearby
commercial establishments to park on the
north side of Franklin Place, where all day
parking is permitted and no buildings are
located.

RECOMMENDATION

- a) That parking be prohibited on both sides of
College Street from Franklin Place to the
south limit of 541 College Street, from 10-11
a.m. and 2-3 p.m., Monday to Friday inclusive.
- b) That letters be sent to residents of both
apartment buildings for comment or objection
to the proposed parking regulations.

K. G. Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Apt. #4, 541 College St.,
Kingston, Ontario,
June 5, 1979.

Mr. K. Linseman,
Traffic & Streets Department,
City Hall,
KINGSTON, Ontario.

Dear Mr. Linseman:

Further to our telephone conversation of June 4, I wish to draw to your attention a parking problem on College Street, in the vicinity of #541.

In front of this building there is room for approximately 4 cars to park. At the present time, this area is occupied from 8:30 a.m. to 5:30 p.m., by cars parked there by persons who leave them and walk over to Princess St. to work.

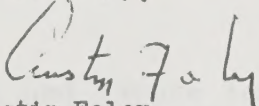
This means that the street can neither be swept or plowed during the day. Also, these cars parked on both sides of the street create a traffic hazard for vehicles approaching or leaving the curve at Franklin Place. Also, it is impossible for any visitors to either apartment building (Harford Arms or Franklin Towers) to find a parking place in this vicinity. The tenants of these buildings are complaining about the situation.

I would like to suggest that you and the Traffic and Streets Committee might see fit to give consideration to either installing parking metres, or prohibited parking 10:00 a.m. to 11:00 a.m. and 2:30 p.m. to 3:30 P.m., in this area, the latter alternative being preferred.

I believe that our Alderman, Mr. Jim Clark has been good enough to bring this matter to your attention.

Thanking you for anything you may be able to do in this matter, and your early consideration, I remain,

Yours truly,


Austin Foley
Superintendent (Harford Arms)

✓ C. C.: Alderman Jim Clark

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.
FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.
DATE: June 22nd, 1979.

SUBJECT Parking and Access Control - Montreal Street,
Russell Street to Railway Street.

ORIGIN Traffic Department.

- ANALYSIS
1. Curb, gutter and boulevard are being constructed on the east side of Montreal Street from Russell Street to Railway Street.
 2. Unrestricted access existed along the frontages of most of the industrial properties.
 3. Access to industrial properties has been designed to conform as closely as possible to the regulations of By-law 10 (Streets) as shown on Plans B843-4 and B843-5.
 4. Affected property owners were contacted individually and general agreement to proposed access was reached.
 5. Due to unrestricted access for this section of Montreal Street, parking was prohibited. In order to retain the same level of service, parking should be prohibited in the restricted access areas.

- RECOMMENDATION
1. That a by-law be presented to Council to amend By-law 24 (Traffic) to prohibit parking on the east side of Montreal Street from Russell St. to Railway Street.
 2. That the proposed access as shown on Plans B843-4 and B843-5, be approved.

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: June 22nd, 1979.

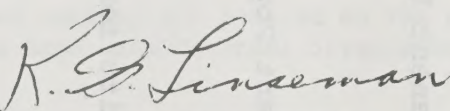
SUBJECT Traffic Study - Land Use Data

ORIGIN Recommendation by the Technical Co-ordinating Committee (Traffic Study) to the City of Kingston, Kingston Township and Pittsburgh Township, that the existing and future land use, population and employment data for each municipality as prepared by Professors Gerald Hodge, CIP, and Eric Thrift, FCIP, in the attached report, be approved.

- ANALYSIS
1. Professors Hodge and Thrift were retained to supply data for existing and future land use, population and employment, to be used in the Kingston area traffic study.
 2. A summary of the existing and projected population and employment has been extracted from the land use data report and is attached hereto.
 3. It should be noted that the Professors have projected little growth, both in population and employment, in the Kingston area for the projected years 1983, 1988 and 1993, using the most recent available information from 1978.
 4. The Technical Co-ordinating Committee met on June 7th and June 8th, 1979 for about five hours, with Professors Hodge and Thrift, to review the report and projected figures. The Technical Committee passed a resolution adopting the existing and projected population and employment figures by traffic zones in the traffic study area.
 5. The City of Kingston, Kingston Township and Pittsburgh Township must now approve the land use data prior to the traffic consultants developing a computer based transportation model for use in the analysis of the existing and alternate road networks.

RECOMMENDATION That the existing and future land use, population and employment data for the City of Kingston, as contained in the Report prepared by Professors Gerald Hodge, CIP and Eric Thrift, FCIP, be approved.

:lk


K. G. Linseman, P.Eng., M.Sc.,
Administrator,
Chairman,
Technical Co-ordinating Committee
(Traffic Study).

EXISTING AND PROJECTED POPULATION AND EMPLOYMENT FIGURES FOR KINGSTON AND AREA

Schedule Y - Page 2 - Report No.

	YEAR	CITY OF KINGSTON	KINGSTON TOWNSHIP	PITTSBURGH TOWNSHIP
Residential Dwelling Units	1978	23,140	8,021	2,710
	1983	24,109	9,381	2,860
	1988	25,294	10,391	3,055
	1993	26,448	11,191	3,285
Permanent Population	1978	54,654	25,153	9,838
	1983	55,374	28,278	10,154
	1988	56,065	30,744	10,595
	1993	56,285	32,424	10,980
Student Population	1978	10,853	204	683
	1983	10,853	204	683
	1988	10,853	204	683
	1993	10,853	204	683
Institutional Population	1978	2,103	373	483
	1983	2,031	450	500
	1988	2,083	652	500
	1993	2,088	680	500
Employment - Manufacturing	1978	4,015	2,909	43
	1983	4,005	2,925	45
	1988	4,050	2,941	45
	1993	4,130	2,956	45
Employment - Retail and Wholesale	1978	3,972	1,262	130
	1983	4,581	1,342	135
	1988	5,316	1,847	165
	1993	5,351	1,922	190
Employment - Service and Others	1978	20,625	2,215	4,535
	1983	21,905	2,400	4,635
	1988	22,580	2,860	4,750
	1993	23,035	2,980	4,870

Extracted from Land Use Data Report prepared by Professors Gerald Hodge and Eric Thrift, Queen's University, May 1979.

Submitted by K. G. Linseman, P.Eng., M.Sc., Administrator, Traffic Streets and Parking Department.

COMMITTEE OF THE WHOLE (Cont'd)

Moved by Ald. Gorham,
Seconded by Ald. McArthur,

That the following motion tabled at the meeting of June 11, 1979 be lifted from the table:

Moved by Ald. McArthur,
Seconded by Ald. Gorham,

That a By-Law be presented to Council to repeal By-Law No. 9034, "A By-Law to Stop Up and Close Queen's Crescent between University Avenue and Albert Street".

CARRIED 8:5

The motion was then put and carried 8:5

Ald. Miller abstained

Ald. Miller abstained

See By-Law 10: No. 79-136

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MOTION

(1) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That the congratulations of Council be extended to the following members of the City of Kingston Marathon Team, "Pheidippedes" on setting a new "Canadian Men's Open Twenty-Four Hour Relay Record" of 132 miles:

Edward Grenda (Coach)
Mario Raposo
Joe Latour
Malcolm Boot
Garth Hood
Del Demonte
Pat Malone
Garfield Cooper

CARRIED

NOTICE OF MOTIONS

(1) Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That the name of the proposed parking lot located on the south side of Queen Street between Bagot and Montreal Streets be re-named Springer-MacGregor.

REFERRED TO ADMINISTRATOR, TRAFFIC, STREETS & PARKING

Council consented to consider of the following Notice of Motion:

NOTICE OF MOTION (Cont'd)

- (2) Moved by Ald. Knapp,
Seconded by Ald. Clark,

Whereas a citizen of Kingston was drenched from head to toe with gasoline because of a nozzle breaking away from a hose at a self-service Gasoline Station:

That the Field Services Branch of the Ministry of Consumer and Commercial Relations be requested to immediately inspect the gasoline pumps, hoses and nozzles at all gasoline service stations in the City of Kingston, especially self-service stations, and require the immediate replacement of all defective parts.

CARRIED

BYLAWS

Council consented to the addition of By-Law Nos. 9 and 10.

Council consented to the deletion to the reference to Clause 17 in the heading of By-Law No. 2 since Clause 17, Report No. 71 was LOST.

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That By-Law Nos. 1 to 7 and 9 and 10 be given their First and Second Readings.

CARRIED

Ald. Miller abstained from voting on By-Law 10
Ald. Bishop abstained from voting on By-Law 3

- (B) Moved by Ald. Matthews,
Seconded by Ald. Tarnowecy,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law Nos. 3 to 7 their Third Reading.

CARRIED

Ald. Bishop abstained from voting on By-Law 3

- (C) Moved by Ald. Gorham,
Seconded by Ald. Gerretsen,

That By-Law Nos. 3 to 8 be given their Third Reading.

CARRIED

Ald. Bisop abstained from voting on By-Law 3

- (1) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of such Parking Meters".
(Clause 10, Report No. 71).

(FIRST & SECOND READINGS)
Clause 10, Report No. 71, 1979

(Proposed No. 79-128)

BY-LAWS (Cont'd)

- (2) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act."
(Clauses 16, 18, 22 and 26).

(FIRST & SECOND READINGS) (Proposed No. 79-129)
Clauses 16, 18, 22 and 26, Report No. 71, 1979

(Note: Ministry of Transportation and Communications approval NOT required).

- (3) A By-Law to Authorize the Expropriation of Lot 303, Original Survey, on the South Side of Queen Street between Bagot and Montreal Streets for Purpose of Construction of a Parking Lot and Parking Garage.

(THREE READINGS) (Proposed No. 79-130)
Clause 1, Report No. 71, 1979

Ald. Bishop abstained from voting

- (4) A By-Law to Authorize the Execution of an Agreement with Kingston Bus for the Handicapped (Bus Service for the Physically Disabled in the City of Kingston).

(THREE READINGS) (Proposed No. 79-131)
Clause 7, Report No. 71, 1979

- (5) A By-Law to Close Ontario Street from Brock Street to Market Street to Vehicular Traffic on Friday, June 29, 1979, from 7:00 p.m. to 1:00 a.m. June 30, 1979, for Community Purposes.

(THREE READINGS) (Proposed No. 79-132)
Clause 12, Report No. 71, 1979

- (6) A By-Law to Appoint Mrs. Marion Houghton as Acting Clerk *Pro Tempore* for the Period from Saturday, July 7 to Sunday, July 22, 1979, Inclusive.

(THREE READINGS) (Proposed No. 79-133)
Clause 19, Report No. 71, 1979

- (7) A By-Law to Confirm the Proceedings of Council at its Meeting Held June 25, 1979.

(THREE READINGS) (Proposed No. 79-134)
City Council Meeting No. 26, 1979

- (8) A By-Law to Authorize Improvements, Alterations and Extensions of the Water System in the City of Kingston in the Amount of \$282,000.00 (Debenture)

(THIRD READING) (Proposed No. 79-51)
Clause 11, Report No. 37, 1979

BY-LAWS (Cont'd)

- (9) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of Such Parking Meters" (Clause 22, Report No. 71).

(FIRST & SECOND READINGS)

Proposed No. 79-135

Clause 22(a), Report No. 71, 1979

- (10) A By-Law to Repeal By-Law 9034, "A By-Law to Stop Up and Close Queen's Crescent between University Avenue and Albert Street".

(FIRST & SECOND READINGS)

Proposed No. 79-136

Ald. Miller abstained from voting

UNFINISHED BUSINESS

Alderman Webb said that at the last meeting of City Council a request for the installation of a stop sign on Vine Street and Ann Street was not approved. This had received publicity since the meeting. He said that if Council would consent to him asking the Administrator of Traffic, Streets and Parking, to put the sign up he would pay for it himself. He said that he had had a similar experience a few years ago when he had ended up paying for a flag for the Royal Canadian Legion.

Alderman Webb said that at the last meeting, Alderman McArthur had brought up the situation whereby people in the NIP area were having repairs done by firms recommended by the NIP Co-ordinator. He said that he had received a call from a woman who had been locked out of her house four times in one week after having locks installed by a contractor recommended by the NIP Co-ordinator. The woman had to hire a local locksmith to change the locks. She had to pay \$29.00 for the work involved and she should be reimbursed. He believed that a contractor who could not give a year's guarantee for a lock on a front door should not be recommended by the NIP Co-ordinator to do work in the NIP area.

Alderman Webb said that the response he had received since the last Council Meeting with regard to refugees currently located in Malaysia was fantastic. The responses had not all been to the good and he had received some abusive telephone calls but these were in the minority. An organization was being started in the City involving several ethnic groups. He would like to emphasize the tremendous generosity of the Jewish people.

Alderman Webb read a letter he had received with regard to the acceptance of refugees currently located in Malaysia.

Mayor Keyes said that he had arranged for a Public Meeting to be held in the Council Chambers at City Hall on Thursday, June 28th 1979, at 7.30 p.m. with regard to the acceptance of refugees by the City of Kingston. He had met with representatives from the Department of Immigration and he would like to be sure of the direction to take. He was asked if it was the City's position that it would accept 500 refugees. He said that he hoped that Alderman Webb and the members of the Council would attend this meeting. He was planning to ask at the meeting for someone to volunteer to act as Chairman to set up the organization. The project would last approximately one year. It would be six months before the first families arrived.

Mayor Keyes said that some eighteen families have already come to Kingston and have been helped by different groups. He had invited members of the Clergy, Service Clubs, and Ethnic Groups in the City to attend the meeting.

UNFINISHED BUSINESS (Cont'd)

Alderman Webb said that he believed that Kingston could take in up to 500 refugees but had not, in fact, said that the City Council had given approval to this number. There are a number of municipalities across Canada and if each municipality takes refugees, say 200/300 in the smaller places, or on a per capita basis, it would not be as gigantic a task as one would think. The community support is such that the meeting would be well attended if publicized.

Alderman Hawkins asked if representatives of the Frontenac County Board of Education would be present at the Public Meeting scheduled for Wednesday, June 27th 1979, at 7.30 at the Kingscourt Public School. He had received a number of telephone calls from parents of students attending this school who had not been notified of the decision to close the school.

Alderman Hawkins said that at the last meeting, or the one previously, information was requested with regard to the renovations to the Wally Elmer Youth Centre. He asked the Chief Administrative Officer if there had been any response from the Commissioner of Parks and Recreation.

Mr. Hamilton said that he had received some information concerning this matter. He wanted to add to the report of the Commissioner of Parks and Recreation and it would then be distributed to the members of Council this week.

Mayor Keyes requested Mr. Healy to contact the Frontenac County Board of Education with regard to their sending some representatives to the meeting at Kingscourt Public School.

Mayor Keyes said that it was recorded in the minutes that this school would be closed in July of 1980.

Alderman Matthews said that he had been talking to some of the people in the area and was told by them that at a meeting with the Frontenac County Board of Education it was stated that if a school was needed in that area it would be built on lands next to the high school. The people said that they did not want a school located there because of the proximity to the high school.

Alderman Knapp asked the Chief Administrative Officer to find out if any replies were received from the school boards with regard to the appointment of members to the City's Study Group on the Effect of Declining School Enrolments on the Municipality.

Alderman Knapp asked for a report on the curbing along Court Street.

Alderman Webb withdrew at 11.59 p.m.

Alderman Knapp said that he would request the appropriate department to look into the feasibility of using heat pumps from the lake to supplement heating costs.

Alderman Knapp said that he was concerned with the method of reporting communications to Council. He referred in particular to the letter from the Chairman of the NIP Committee. During the course of the meeting he had read the letter and it appeared to him that the summary did not indicate the content of the letter.

Mayor Keyes said that the Council is receiving a summary of letters received. Other jurisdictions get a list of the correspondence without any indication of the content.

Alderman Knapp said that he had nothing against the summaries in general but the type of summary he had referred to in this particular instance did not give a clear indication of the content of the letter. Copies of some of these letters are distributed during Council Meetings and the aldermen do not have an opportunity to read the letter. If letters do not come in time to be included in the Friday envelopes then they should be kept until the next meeting.

UNFINISHED BUSINESS (Cont'd)

Alderman Knapp said that he had found that extensive damage was done to Sydenham Street because of the installation of the steam line from the heating plant to Hotel Dieu Hospital. He asked if it would be advisable to resurface the street instead of patching it and have the hospital pay half of the cost.

Alderman Knapp said that he was planning to present a notice of motion at the next meeting of Council with regard to the tendering procedures. It bothered him the way that tenders are handled. Some policy change, he believed, is necessary.

Alderman Knapp said that it was obvious from the recent emuneration list that there are persons living in houses in areas of the City in violation of the number permitted under the zoning by-law. These situations are reported to the Chief Building Inspector, the owner is fined, the people move out and after a short period of time the people move back into the premises again. A policy of stiffer fines should be established.

Alderman Clements said that, in response to Alderman Hawkins, the Planning Board had recommended that members of the Frontenac County Board of Education be invited to attend the public meeting at Kingscourt Public School.

Alderman Clements said that with regard to the NIP Co-ordinator recommending people to do construction work, he understood that general contractors are sometimes recommended by the City and that representatives of the City are knocking on doors to talk to people about various things they were made to do. Sometimes the work involved is under \$100.00. People are handed a list of 14 contractors by the Property Standards Officers without being asked. This list contains not just City people but people from outside the City as well. This is a policy matter. He asked how the procedure was started. People involved wonder if they do not use someone from the list if the work will be approved.

He tabled a list for distribution to Council and asked the Chief Administrative Officer to clarify the City policy and explain why this had happened eight blocks from the NIP area and it had nothing to do with OHRP.

Alderman Lampropoulos extended thanks on behalf of the organizers of the Jog-a-Thon to all the people who participated in the 2nd Annual Canada Week Jog-a-Thon and extended special congratulations to Alderman Tarnowewky and his father who completed the course.

Alderman Tarnowewky withdrew at 12.05 p.m.

Alderman Clements withdrew at 12.05 p.m.

Alderman McArthur asked for a report on developments to date with regard to the Area Economic Development Commission.

Alderman McArthur said that he was surprised at the letter that was received from the NIP Committee and at the comment that he had made false statements. He said that he could not remember anyone appointing persons to the NIP Committee. He was talking about their own little meetings.

Alderman McArthur asked what had been done with regard to the "Year of the Child".

Mayor Keyes said that a number of things had been done by different organizations and groups but the City, itself, had not sponsored any major events. A family type picnic was being organized by the Social Services Department related to the "Year of the Child". The Frontenac County Board of Education and the Canada Week Committee had done an amount of work related to needs of children. There would be more events this fall and the Memorial Hall would be used for lectures. There has been much done and very little publicity.

Alderman Gorham asked if the Mayor has set-up a meeting of members of Council with the new Area Development Commissioner.

Mayor Keyes said that he had not moved into his office yet but renovations are now completed and that a meeting would be arranged within a week to ten days.

COMMITTEE OF THE WHOLE - IN CAMERA

- (A) Moved by Ald. Gerretsen,
Seconded by Ald. Clark,

That Council resolve itself into the Committee of the Whole to discuss, in camera, Report No. 72 of the Chief Administrative Officer with regard to land acquisition at 408 Montreal Street and the sale of land to Kingston Lath and Plaster Limited on the west side of Lappans Lane, with Mayor Keyes in the Chair.

CARRIED

- (B) Moved by Ald. Gerretsen,
Seconded by Ald. Clark,

That Council Rise from the Committee of the Whole and the Chairman Report.

CARRIED

Mayor Keyes reported that Report No. 72 was considered in the Committee of the Whole as follows:

REPORT NO. 72

June 25, 1979

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by the Administrator, Traffic, Streets & Parking, Council consider the purchase of 408 Montreal Street.

See following motions

Moved by Ald. Bishop,
Seconded by Ald. Lampropoulos,

That an offer of \$23,000. be made to purchase the property located at 408 Montreal Street subject to the approval of the Ontario Municipal Board of the provision of the necessary funding and of the Ministry of Transportation and Communications for the intersection improvement, Stephen and Montreal Streets.

LOST

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That an offer of \$21,500. be made to purchase the property located at 408 Montreal Street subject to the approval of the Ontario Municipal Board of the provision of the necessary funding and of the Ministry of Transportation and Communications for the intersection improvement, Stephen and Montreal Streets.

CARRIED

Ald. Gerretsen opposed

2. That Council consider the recommendation of the Chief Administrative Officer with regard to the City sale of land to Kingston Lath and Plaster Limited on the west side of Lappan's Lane.

See following motion

COMMITTEE OF THE WHOLE - IN CAMERA (Cont'd)

Report No. 72 - Chief Administrative Officer

2. (Cont'd)

Moved by Ald. Clark,
Seconded by Ald. Bishop,

That, subject to the approval of the Committee of Adjustment to the reduction in lot size from 1.83 acres more-or-less to 1.76 acres more-or-less for a portion of land located on the west side of Lappan's Lane in the City of Kingston, to permit the construction of a warehouse and office by Kingston Lath and Plaster Limited, the development control agreement be amended to delete Clause 3(ii) which reads as follows:

"The storm drainage ditch which crosses the Owner's property shall be maintained by the Owner";

- and further -

That the City deed to Kingston Lath and Plaster Limited a portion of land approximately 26 feet from the road allowance along Lappan's Lane reducing the width of Lappan's Lane road allowance to 40 feet which would represent approximately 5,000 square feet more-or-less, the length of which would be approximately 195 feet;

- and further -

That Kingston Lath and Plaster Limited deed to the City of Kingston approximately 8,000 sq. ft. for the watercourse.

CARRIED

Respectfully submitted,

Chairman

COUNCIL

* * *

(C) Moved by Ald. Gerretsen,
Seconded by Ald. Clark,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

ADJOURNMENT

Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That Council do now adjourn.

CARRIED

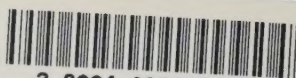
Council adjourned at 12:40 p.m. June 26, 1979

3 8628.

(L.S.)

(Signed) M.C. Healy
City Clerk

(Signed) Ken Keyes
Mayor



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